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CONTENTS

PRINCIPAL PAPERS

	PAGE.
ANDREWS, CHAMPE S. The Importance of the Enforcement of Law	85
AUSTIN, O. P. The Return of Prosperity	563
BARRETT, JOHN. South America—Our Manufacturers' Great- est Opportunity	520
BENNET, WILLIAM S. Immigrants and Crime	117
BRAUN, MARCUS. How Can We Enforce Our Exclusion Laws?	360
BURNETT, ALBERT G. Misunderstanding of Eastern and West- ern States Regarding Oriental Immigration	257
CARTER, C. B. Hosiery Manufacture in the United States....	539
COOLIDGE, MARY ROBERTS. Chinese Labor Competition on the Pacific Coast	340
CORYN, SIDNEY G. P. The Japanese Problem in California...	262
DANA, CHARLES L. Alcoholism as a Cause of Insanity	81
DAVENPORT, CHARLES B. Influence of Heredity on Human Society	16
DONALDSON, C. S. Government Assistance to Export Trade...	555
ELDERSHAW, PHILIP S., AND P. P. OLDEN. The Exclusion of Asiatic Immigrants in Australia	410
ELIOT, THOMAS L. Moral and Social Interests Involved in Restricting Oriental Immigration	300
FINDLEY, A. I. The American Iron Trade of 1909 and the Outlook	496
FOUSE, L. G. Recent Developments in the Life Insurance Busi- ness	578
FOX, HUGH F. The Prosperity of the Brewing Industry.....	485
GEDDES, PATRICK. City Deterioration and the Need of City Survey	54
GIBSON, THOMAS. The Securities Market as an Index of Busi- ness Conditions	439
GOWEN, HERBERT H. The Problem of Oriental Immigration in the State of Washington	329

	PAGE.
GULICK, LUTHER H. Popular Recreation and Public Morality .	33
HALE, ARTHUR. The Present Supply of Freight Cars	592
HASTINGS, ARTHUR C. Difficulties and Needs of the Paper and Pulp Industry	467
HECKEL, G. B. The Outlook for Paint Manufacture	507
HUTCHINSON, WOODS. Evidences of Race Degeneration in the United States	43
IRISH, JOHN P. Reasons for Encouraging Japanese Immigra- tion	294
JOHNSON, ALBA B. The Market for Locomotives	547
JOHNSON, ALEXANDER. Race Improvement by Control of Defectives (Negative Eugenics)	22
JOHNSON, C. D. The Yellow Pine Situation	532
JONES, CHESTER LLOYD. The Legislative History of Exclusion Legislation	351
KANEKO, KENTARO. The Effect of American Residence on Japanese	338
KELLEY, MRS. FLORENCE. The Invasion of Family Life by Industry	90
KELSEY, CARL. Influence of Heredity and Environment upon Race Improvement	3
KOHLER, MAX J. Un-American Character of Race Legislation	275
LEWIS, WILLIAM DRAPER. Treaty Powers: Protection of Treaty Rights by Federal Government	313
LICHTENBERGER, J. P. The Instability of the Family	97
MACARTHUR, WALTER. Opposition to Oriental Immigration..	239
MACFARLANE, JOHN J. Present Condition of International Trade	445
MILLARD, THOMAS F. Japanese Immigration into Korea	403
MITCHELL, JOHN. Immigration and the American Laboring Classes	125
MOODY, JOHN. The Recovery from the Depression	584
MYERS, WILLIAM J. Conditions in Stove Manufacturing.....	457
NEAME, L. E. Oriental Labor in South Africa	395
NEWLANDS, FRANCIS G. A Western View of the Race Ques- tion	269
OLDEN, P. P., AND PHILIP S. ELDERSHAW. The Exclusion of Asiatic Immigrants in Australia	410

	PAGE.
PARRY, DAVID M. Automobile Sales and the Panic	552
PARSONS, HERBERT. Establishment of a National Children's Bureau	48
REYNOLDS, JAMES BRONSON. Enforcement of the Chinese Exclusion Law	363
RIPLEY, WILLIAM Z. Race Progress and Immigration.....	130
ROSSITER, W. S. The Significance of the Decreasing Propor- tion of Children	71
ROWELL, CHESTER H. Chinese and Japanese Immigrants—A Comparison	223
RYAN, MICHAEL. Prospects of the Meat Packing Industry....	471
SARGENT, DUDLEY ALLEN. The Significance of a Sound Physique	9
STORY, RUSSELL McCULLOCH. Oriental Immigration into the Philippines	388
VAN CLEAVE, JAMES W. The Stove Trade	463
WARFIELD, ETHELBERT DUDLEY. The Moral Influence of Women in American Society	106
WESTHEIMER, MORRIS F. Present American Business Condi- tions in the Distilling Industry	569
WHITMAN, WILLIAM. Revival of the Trade in Woolens	477
WILLIAMS, JNO. E. Trade Revival in the Lumber Industry....	512
WITMER, LIGHTNER. Psychological Clinic with Presentation of Cases	141
YOELL, A. E. Oriental vs. American Labor	247
YOSHIDA, YOSABURO. Sources and Causes of Japanese Emigra- tion	377
YOUNG, F. G. Why Oregon Has Not Had an Oriental Problem	306
YOUNG, JOHN P. The Support of the Anti-Oriental Movement	231

BOOK DEPARTMENT

CONDUCTED BY FRANK D. WATSON

REVIEWS.

	PAGE.
ALLEN, W. H. Civics and Health.— <i>C. Kelsey</i>	195
ANGIER, A. C. The Far East Revisited.— <i>C. L. Jones</i>	195
BADDELEY, J. F. The Russian Conquest of the Caucasus.— <i>S. N. Harper</i> ..	197
BEAULIEU, P. L. Collectivism.— <i>H. R. Mussey</i>	198
BIRDSEYE, C. F. The Reorganization of Our Colleges.— <i>C. Kelsey</i>	614
BRÜCKNER, A. A Literary History of Russia. Translated by H. Have- lock.— <i>S. N. Harper</i>	199
CHANCELLOR, W. E. Our City Schools, Their Direction and Manage- ment.— <i>J. S. Hiatt</i>	200
CLEVELAND, F. A., and POWELL, F. W. Railroad Promotion and Capital- ization in the United States.— <i>G. G. Huebner</i>	615
CONYNGTON, T. A Manual of Corporate Management. 3d ed.— <i>J. J. Sul- livan</i>	201
COOLEY, C. H. Social Organization.— <i>C. Kelsey</i>	432
COOLIDGE, MARY R. Chinese Immigration.— <i>C. L. Jones</i>	617
CRICHFIELD, G. W. American Supremacy. 2 vols.— <i>C. L. Jones</i>	202
CROZIER, J. B. My Inner Life. 2 vols.— <i>Lurena W. Tower</i>	203
DAVIDSON, J., and G. A. The Scottish Staple at Veere: A Study in the Economic History of Scotland.— <i>H. M. Stephens</i>	617
DAWSON, W. H. The Evolution of Modern Germany.— <i>C. L. Jones</i>	434
DEVINE, E. T. Misery and its Causes.— <i>F. D. Watson</i>	435
DEVINE, E. T. Report on the Desirability of Establishing an Employment Bureau in the City of New York.— <i>G. B. Mangold</i>	618
DUTTON, S. T., and SNEDDEN, D. The Administration of Public Education in the United States.— <i>J. L. Barnard</i>	203
FERRERO, G. The Greatness and Decline of Rome. Translated by A. E. Zimmern. 4 vols.— <i>A. C. Howland</i>	205
HASBACH, W. A History of the English Agricultural Labourer.— <i>H. C. Taylor</i>	436
HENDERSON, C. R. Industrial Insurance in the United State.— <i>G. B. Man- gold</i>	207
HOLDSWORTH, W. S. History of English Law. 3 vols.— <i>C. L. Jones</i>	619
JONES, H. Idealism as a Practical Creed.— <i>Mary Lloyd</i>	620
KEY, ELLEN. The Century of the Child.— <i>Nellie M. S. Nearing</i>	208
KUROPATKIN, A. N. The Russian Army and the Japanese War. Trans- lated by A. B. Lindsay. 2 vols.— <i>C. L. Jones</i>	209
LECKY, W. E. H. Historical and Political Essays.— <i>W. E. Lingelbach</i> ..	436
LOWNHAUPT, F. Investment Bonds.— <i>T. W. Mitchell</i>	210
MACFARLAND, C. S. (Ed.). The Christian Ministry and the Social Order. — <i>S. E. Rupp</i>	621

	PAGE.
McDOUGALL, W. An Introduction to Social Psychology.— <i>E. A. Ross</i> ...	438
McPHERSON, L. G. Railroad Freight Rates in Relation to the Industry and Commerce of the United States.— <i>G. G. Huebner</i>	622
MILLARD, T. F. America and the Far Eastern Question.— <i>C. L. Jones</i> ..	195
MOODY, J. Moody's Analyses of Railroad Investments.— <i>E. R. Johnson</i> ..	210
MÜNSTERBERG, H. Psychotherapy.— <i>J. D. Stoops</i>	623
NOYES, A. D. Forty Years of American Finance.— <i>R. V. Phelan</i>	623
PEYTON, J. H. The American Transportation Problem.— <i>G. G. Huebner</i> .	624
PICKETT, W. P. The Negro Problem.— <i>C. Kelsey</i>	625
POWELL, F. W., and CLEVELAND, F. A. Railroad Promotion and Capital- ization in the United States.— <i>G. G. Huebner</i>	615
RASMUSSEN, K. The People of the Polar North.— <i>W. S. Tower</i>	211
RAY, P. O. The Repeal of the Missouri Compromise.— <i>C. L. Jones</i>	212
SCHURZ, CARL. The Reminiscences of. 3 vols.— <i>C. L. Jones</i>	213
SELIGMAN, E. R. A. Progressive Taxation in Theory and Practice.— <i>C. L. Seiler</i>	214
SHAW, C. S. The Precinct of Religion in the Culture of Humanity.— <i>Mary Lloyd</i>	215
SNEDDEN, D., and DUTTON, S. T. The Administration of Public Educa- tion in the United States.— <i>J. L. Barnard</i>	203
SOCIAL APPLICATION OF RELIGION, THE.— <i>H. R. Mussey</i>	215
STEINER, E. A. Tolstoy—The Man and His Message.— <i>S. Nearing</i>	216
TAYLOR, H. The Science of Jurisprudence.— <i>C. L. Jones</i>	216
VAN RENSSELAER, MRS. S. History of the City of New York in the Sev- enteenth Century. 2 vols.— <i>F. I. Herriott</i>	626
VERNON, MRS. H. M. Italy from 1494 to 1790.— <i>R. B. Merriman</i>	627
WALLAS, G. Human Nature in Politics.— <i>W. E. Hotchkiss</i>	218
WAR IN THE FAR EAST.— <i>C. L. Jones</i>	627
WESTERMARCK, E. The Origin and Development of the Moral Ideas. Vol. II.— <i>C. Kelsey</i>	219
WILLIAMS, C. D. A Valid Christianity for To-day.— <i>S. E. Rupp</i>	438

NOTES

ANDUJAR, M. Spain of To-day from Within	173
ALLEN, H. N. Things Korean	173
ANSON, W. R. The Law and Custom of the Constitution. Vol. II.	173
AYRES, L. P. Laggards in Our Schools	601
BAINBRIDGE, W. S. Life's Day	174
BARNETT, CANON, and MRS. S. A. Towards Social Reform	174
BEARD, C. A. Readings in American Government and Politics	610
BECU, C. A. La Neutralidad	175
BELLOM, M. Les Techniciens de la Compatibilité	425
BELLOT, H. H. L., and JONES, L. A. The Law of Children and Young Persons in Relation to Penal Offenses	184
BENOIST, C. Pour la Réforme électorale	601

	PAGE.
BLANDIN, MRS. I. M. History of Higher Education of Women in the South Prior to 1860.....	175
BROWNE, J. C. Parsimony in Nutrition	602
BRUCE, H. A. The Romance of American Expansion.....	175
BURNS, J. A. The Catholic School System in the United States.....	176
BURSTALL, SARA A. Impressions of American Education in 1908.....	176
CALVERT, A. F. Madrid	177
CHAMBERLAIN, A. H. Standards in Education	177
CHAPIN, R. C. The Standard of Living Among Workingmen's Families in New York City	177
CHOMLEY, C. H. Protection in Canada and Australia.....	607
CLAVERY, E. La Situation Financière du Japon	425
CRAWFORD, W. H. The Church and the Slum	178
DAVIS, M. M. Psychological Interpretations of Society	426
DAWSON, W. H. The German Workman	178
DAWSON, W. H. Protection in Germany	607
DENISON, G. T. The Struggle for Imperial Unity	179
DENISON, T. S. Primitive Aryans of America	602
DODD, W. F. Modern Constitutions. 2 vols.	180
EVANS, L. B. Writings of George Washington	180
EWING, E. W. Legal and Historical Status of the Dred Scott Decision..	426
FINLEY, J. H., and SANDERSON, J. F. The American Executive and Executive Methods	426
FOLTZ, E. B. K. The Federal Civil Service as a Career	181
FORMAN, S. E. Advanced Civics	602
FULLER, H. B. The Speakers of the House	603
GRANT, P. S. Observations in Asia	604
GRAVES, F. P. A History of Education Before the Middle Ages	181
HAINES, C. G. The Conflict over Judicial Powers	604
HALL, B. The Garden Yard	605
HALL, B. A Little Land and a Living	605
HARDIE, J. K. India	605
HART, A. B. Actual Government as Applied Under American Condi- tions. 3d ed.	182
HEPBURN, A. B. Artificial Waterways and Commercial Development...	182
HIGGINSON, ELLA. Alaska: The Great Country	182
HILLQUIT, M. Socialism in Theory and Practice	183
HOLLAND, T. E. The Laws of War on Land	183
INTERNATIONAL TAX ASSOCIATION: ADDRESSES AND PROCEEDINGS OF. State and Local Taxation	184
JENSEN, C. O. Essentials of Milk Hygiene	606
JONES, L. A., and BELLOT, H. H. L. The Law of Children and Young Persons in Relation to Penal Offenses	184
JORDAN, D. S. The Fate of Icidorum	185
KENNEDY, J. B. Beneficiary Features of American Trade Unions	185
KIRKMAN, S. D. The Philosophy of Self-Help	427

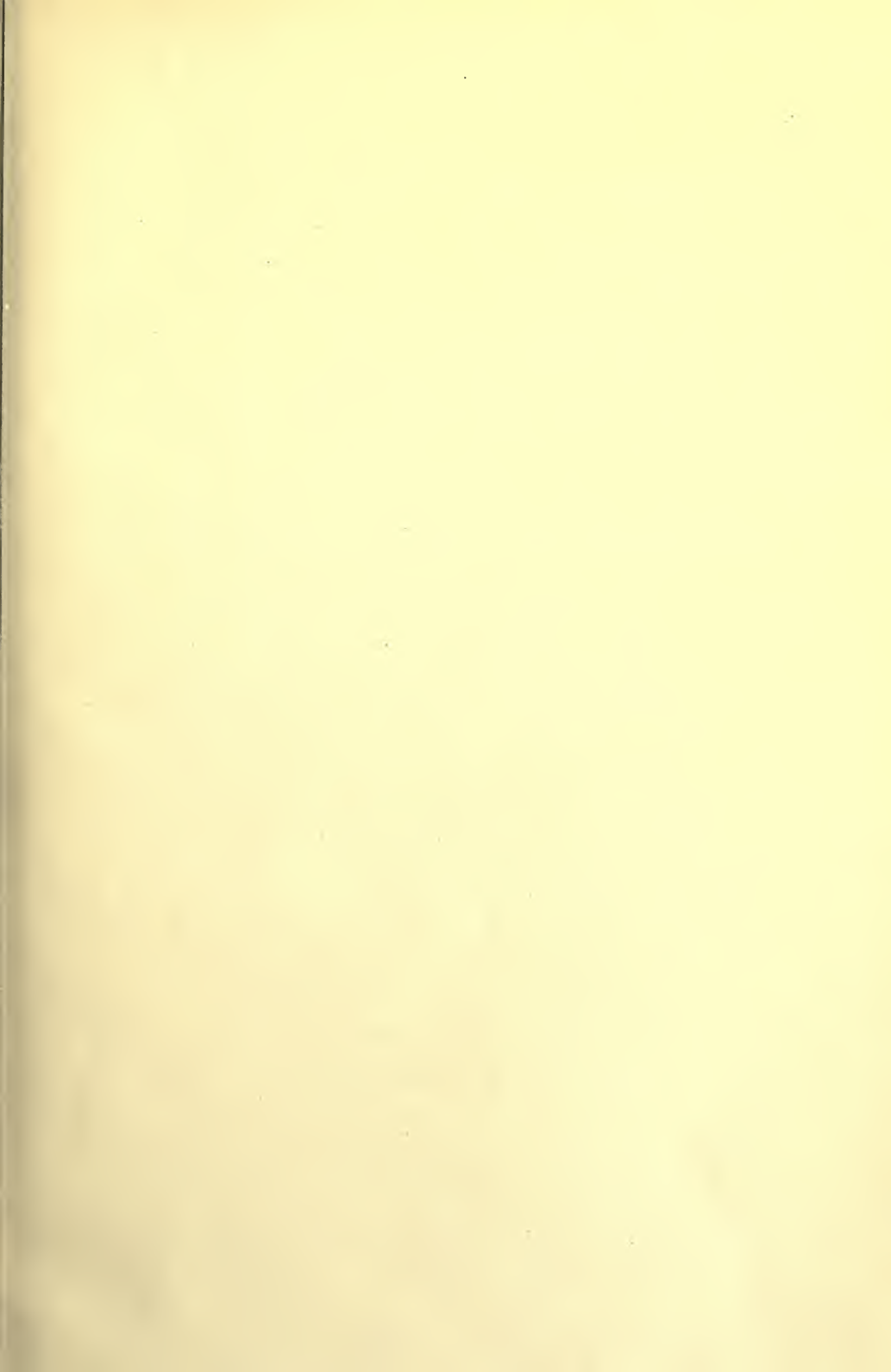
	PAGE.
DE LAS CASES, P. Le Chomage	185
LATIFI, A. Effects of War on Property	427
LAZARD, M. Le Chomage et La Profession	428
LEWIS, F. W. State Insurance: A Social and Industrial Need	606
LOW, A. M. Protection in the United States	607
MACDONALD, D. B. The Religious Attitude and Life in Islam	185
MAITLAND, F. W. The Constitutional History of England	186
MASTEN, V. M. The Crime Problem	607
MATHEWS, J. M. Legislative and Judicial History of the Fifteenth Amendment	607
MAURTUA, A. Arbitraje Internacional entre El Peru y El Brazil	428
MAYBON, A. La Politique Chinoise	608
VON MAYR, G. Statistik und Gesellschaft	428
McCONNELL, G. M. Presidential Campaigns from Washington to Roose- velt	186
MEREDITH, H. O. Outlines of the Economic History of England	429
MEREDITH, H. O. Protection in France	607
MONTGOMERY, H. B. The Empire of the East	429
MUMFORD, E. The Origins of Leadership	608
MUNRO, W. B. The Government of European Cities	609
MYERS, W. S. The Self-Reconstruction of Maryland, 1864-1867	430
OTIS, W. B. American Verse, 1625-1807, A History	187
PECK, MRS. E. M. H. Travels in the Far East	430
PRATT, J. B. What is Pragmatism?	610
PUNNETT, R. C. Mendelism	610
REEDER, R. P. Rate Regulation	187
REINSCH, P. S. Readings on American Federal Government	610
RIVAROLA, R. Del Regimen Federativo al Unitario	188
RUHL, A. The Other Americans	188
SANDERSON, J. F., and FINLEY, J. H. The American Executive and Ex- ecutive Methods	426
SCHLOSS, D. F. Insurance Against Unemployment	611
SCHOULER, J. Ideals of the Republic	189
SCOTT, C. A. Social Education	189
SCOTT, W. D. The Psychology of Advertising	612
SEAGER, H. R. Economics	190
SHELDON, H. C. Sacerdotalism in the Nineteenth Century	190
SINCLAIR, U., and WILLIAMS, M. Good Health and How to Regain It..	612
SMITH, C. H. The Mennonites of America	612
SMITH, E. B. Essays and Addresses	430
ST. MAUR, KATE V. The Earth's Bounty	613
THOMPSON, C. B. The Churches and the Wage Earners	431
TOWLER, W. G. Socialism in Local Government	191
TOYNBEE, A. Lectures on the Industrial Revolution of the Eighteenth Century in England	432
VAN DYNE, F. Our Foreign Service	613

	PAGE.
WEBB, S. and BEATRICE (Eds.). The Minority Report of the Poor Law Commissions. Parts I and II	192
WELLER, C. F. Neglected Neighbors	192
WELLS, H. G. First and Last Things	193
WILLIAM, M., and SINCLAIR, U. Good Health and How to Regain It ..	612
WILLIAMS, W. M. J. The King's Revenue	194
WRIGHT, C. D. Outline of Practical Sociology	194
ZAHN, F. Die Finanzen der Grossmächte	614

Report of (Thirteenth) Annual Meeting Committee	163
---	-----

SUPPLEMENT.

The Consumer's Control of Production: The Work of the National Consumers' League. July, 1909. Pp. 83.





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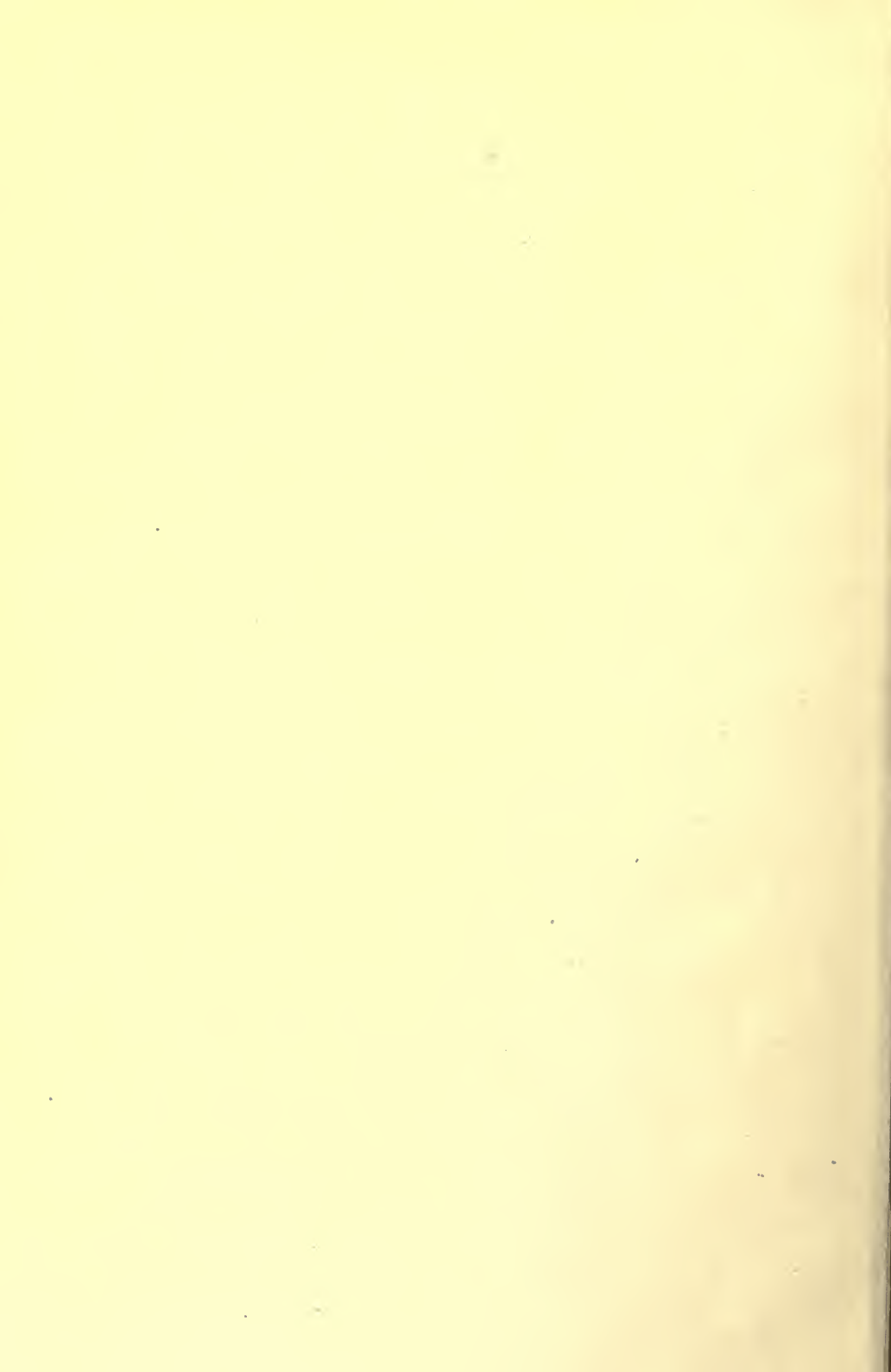
JULY, 1909

The Consumer's Control of Production:

The Work of the National Consumers' League

PHILADELPHIA
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1909

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NATIONAL CONSUMERS' LEAGUE

Tenth Report, for Two Years ending March 2, 1909.

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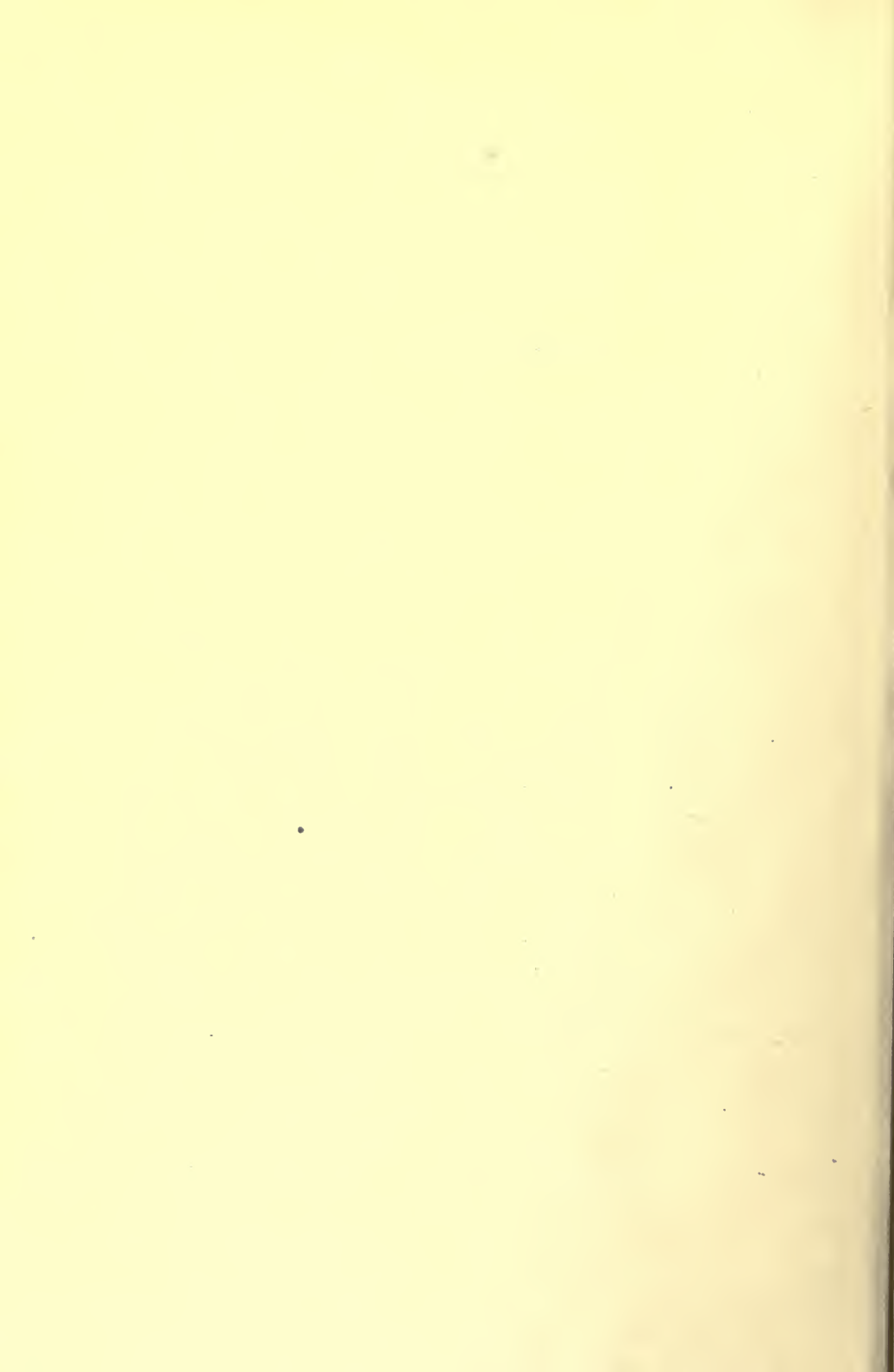
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TABLE OF CONTENTS

	PAGE
Constitution	5
Annual Meeting, 1908	11
Annual Meeting, 1909	16
Report of the Secretary.....	20
Working Hours of Adult Women	21
Work at Night by Girls and Boys under 21 years.....	22
The Eight Hours Day for Working Children.....	23
Labor Inspectors	26
White Lists	27
Congressional Bills	28
Investigations	31
(a) The standard of living of working girls and women away from home	31
(b) Children illegally at work	31
International Conference of Consumers' Leagues, September, 1908....	32
Reference List of Minimum Wages Boards	33
Meetings addressed by the Secretary	34
Report of the Label Committee.....	38
Report of the Publication Committee.....	41
Text of the Decision of the United States Supreme Court in the Oregon case	46
Report of the Lectures Committee	51
Report of the Food Committee.....	53
The Consumers' Health Bill.....	61
Report of the Treasurer, year ending December 31, 1907	63
Report of the Treasurer, year ending December 31, 1908	65
Directory of Consumers' Leagues	67



CONSTITUTION

ARTICLE I

NAME.

The name of the Society shall be the National Consumers' League.

ARTICLE II

OBJECT.

It shall be the special object of the National Consumers' League to secure adequate investigation of the conditions under which goods are made, in order to enable purchasers to distinguish in favor of goods made in the well-ordered factory. The majority of employers are virtually helpless to maintain a high standard as to hours, wages and working conditions under the stress of competition, unless sustained by the co-operation of consumers; therefore, the National Consumers' League also proposes to educate public opinion and to endeavor so to direct its force as to promote better conditions among the workers, while securing to the consumer exemption from the dangers attending unwholesome conditions. It further proposes to promote legislation, either state or federal, whenever it may appear expedient. The National Consumers' League further recognizes and declares the following:

That the interests of the community demand that all workers shall receive fair living wages, and that goods shall be produced under sanitary conditions.

That the responsibility for some of the worst evils from which producers suffer rests with the consumers who seek the cheapest markets, regardless how cheapness is brought about.

That it is, therefore, the duty of consumers to find out under what conditions the articles they purchase are produced and distributed, and insist that these conditions shall be wholesome and consistent with a respectable existence on the part of the workers.

ARTICLE III

MEMBERSHIP.

Section I. *Eligibility*—There shall be five classes of members: State League, Individual, Associate, Sustaining and Life. Any

State Consumers' League may become a member of the National League by accepting the Constitution and By-Laws, and by paying its quota to the general treasury. In any state in which there is no State Consumers' League the President shall appoint a State Organizer, who shall carry on the work of the organization and who shall become ex-officio member of the State League for the remainder of the year in which such new League may be formed. Persons residing in localities in which there is no State or Local League may become Individual Members of the National Consumers' League by paying a yearly due. They will receive reports, but will not have the privilege of voting.

Sec. 2. *Dues*—Each State Consumers' League shall pay to the Treasurer of the National Consumers' League, before the first of each January, for the ensuing year, the sum of ten cents per capita for each and every member of each and every Consumers' League affiliated with it. Each new State Consumers' League shall pay to the National Consumers' League a minimum sum of ten dollars. Each State Organizer shall pay to the Treasurer of the National Consumers' League the sum of one dollar each year. Individual members of the National Consumers' League shall pay a yearly due of not less than one dollar. Any person may become an Associate Member by paying five dollars annually, or a Sustaining Member by paying twenty-five dollars annually. The payment of one hundred dollars at one time constitutes Life Membership.

ARTICLE IV

OFFICERS AND COUNCIL.

Section 1. The officers of the League shall be President, three or more Vice-Presidents, Recording Secretary, General Secretary, and Treasurer.

Sec. 2. The control and management of the affairs and funds of the National Consumers' League shall be vested in a central governing body, which shall be known as the Council. The membership of the Council shall consist of the officers of the National Consumers' League and representatives from the State Consumers' Leagues. The officers of the National Consumers' League shall be elected by ballot at the annual meeting. A Nominating Committee, appointed at the previous meeting, shall prepare a list of

nominees to each office, and the ballot shall be sent to each State Secretary in the January preceding. Any State League may propose names that shall be printed on the list. The officers and *two* representatives of each State Consumers' League shall constitute the Executive Committee of the Council.

Sec 3. *Election*—At the annual meeting of the Council the officers of the National Consumers' League shall be elected to serve for the ensuing year.

Sec. 4. *Vacancies*—A vacancy in any office may be filled by the President, with the consent of a majority of the officers.

ARTICLE V

MEETINGS.

Section 1. The annual meeting of the Council shall be held on the first Tuesday in March, or on the following day, when the first Tuesday is a legal holiday.

Sec. 2. The Executive Committee shall meet annually before the annual meeting of the Council, and shall prepare a report of the condition of the National Consumers' League to submit to the annual meeting of the Council. It shall also meet at such other times as shall seem necessary, to appropriate money and transact routine business. It shall further make such recommendations and suggestions as may from time to time seem desirable.

Sec. 3. Special meetings may be called at any time by the President or by a two-thirds vote of the Executive Committee.

ARTICLE VI

AMENDMENTS.

This Constitution may be amended by a two-thirds vote at any annual meeting of the Council, notice of such amendment having been submitted to the Secretary of the various State Consumers' Leagues at least two months before the annual meeting, or by a unanimous vote at the annual meeting of the Council.

BY-LAWS

ARTICLE I

DUTIES OF OFFICERS.

Section 1. *President*—The President shall be ex-officio a member of all committees; shall sign all written obligations of the League, and shall perform all such duties as usually pertain to that office. In the absence of the President his duties may be performed by the Vice-Presidents in their order; or, in the absence of the Vice-Presidents, a chairman may be elected for the occasion.

Sec. 2. *Recording Secretary*—The Recording Secretary shall attend all meetings of the Council and of the Executive Committee, and shall keep the minutes of the League and the Executive Committee.

Sec. 3. *General Secretary*—The General Secretary shall give notice of the time and place of meetings, inform new members of their election, keep a list of all State Leagues belonging to the National League, and of all Individual Members, and conduct the correspondence of the League. She shall have custody of all books, papers and pamphlets of the League, and take charge of such distribution of them as the Executive Committee may decide, and shall perform all duties usually appertaining to the office.

Sec. 4. *Treasurer*—The Treasurer shall hold all funds of the League, and shall deposit the same, in the name of the League, in such bank or trust company as the Executive Board shall direct. He shall pay out money only by check and as directed by the Executive Committee. He shall keep a correct account of all money received and expended, render reports of the condition of the treasury at the meetings of the Executive Board, and make a full audited report of the financial condition of the League at the annual meeting. The Treasurer shall be ex-officio a member of the Finance Committee.

ARTICLE II

STANDING COMMITTEES.

The Chairmen of all Standing Committees shall be appointed by the President, their term of office to continue until such time as a successor can be appointed, each Chairman to form his own committee, subject to the approval of the President. The Standing Committees of the League to be as follows:

1—*Committee on Finance.* The Committee on Finance shall have charge of the finances of the League, shall secure donations, make suggestions as to the possible ways of obtaining funds, and do all in its power to add to the financial support of the League. The Chairman shall prepare a budget for the year, in conference with the General Secretary and Treasurer, which shall be presented at the annual meeting.

2—*Committee on Label.* The Committee on Label shall investigate all applications for the National Consumers' League label, and report to the Executive Committee how far each applicant complies with the standards maintained by the League.

3—*Committee on International Relations.* The Committee on International Relations shall keep informed of all work along the lines of the Consumers' League done in other countries; shall correspond with the officials or those interested in the work in other countries, to gain an interchange of ideas and methods of work; also to bring about, so far as possible, co-operation between organizations in all countries of the world interested in the objects of the Consumers' League. It shall study international aspects of the work, and endeavor to bring into closer touch the various European and American Leagues.

4—*Committee on Legislation and Legal Defence of Labor Laws.* The Committee on Legislation shall keep informed and report to the Executive Committee all legislation concerning the objects in which the National Consumers' League is interested; also all bills in any way affecting industrial conditions which are liable to come before the legislatures. They shall further be empowered (subject to the approval of the Executive Committee) to draft bills or seek legislation in any way helpful to the work of the National Consumers' League, and shall assist in the defense of the laws by supplying additional legal counsel or other assistance.

5—*Committee on Publication.* The Committee on Publication shall have charge of the printing of all reports of the National Consumers' League and all other leaflets or literature which the Executive Committee decide to have published. It shall have published in magazines and newspapers, whenever practicable, articles relating to the work of the League.

6—*Committee on Lectures.* The Committee on Lectures shall arrange meetings to be held in the interest of the League; shall

secure speakers, who will go about from place to place and explain the principles, objects and aims of the National Consumers' League; also, as far as possible, interest people in the formation of new Leagues.

ARTICLE III

BRANCHES.

Branches of the National Consumers' League may be formed in any State or Territory of the United States. Each Branch shall be called a State or Territorial League, and shall control its own funds, elect its own officers, fix its own fees and dues, and manage its own affairs. Each State or Territorial Branch is allowed to have two representatives on the Executive Committee. Each State or Territorial Branch shall be represented at the annual meeting of the Council by the President and one delegate at large or by their alternates, and by delegates from each Individual League in proportion to its membership—one delegate for Leagues numbering one hundred or less, and an additional delegate for every additional one hundred members.

ARTICLE IV

ANNUAL MEETING.

The Annual Meeting, as described in Section 1, Article IV, of the Constitution, shall be held, as far as possible, in the East, South and West in alternation.

ARTICLE V

AMENDMENTS.

These By-Laws may be amended at any regular or special meeting of the League by a majority vote of the members present, provided that the intended amendment shall have been previously approved by the Executive Committee and that notice of the proposed amendment shall have been appended to the call for the meeting at which such amendment is to be acted upon.

THE NINTH ANNUAL SESSION OF THE COUNCIL

The ninth annual session of the Council of the National Consumers' League was held in Wilmington, Delaware, on March 3, 1908, at 3 o'clock. In the absence of the president, the first vice-president, Mrs. Frederick Nathan, in the chair. There were present representatives from seven states:

Connecticut—Miss R. D. Beach.

Delaware—Miss E. P. Bissell, Mrs. L. C. Vandergrift, Mrs. E. G. Robinson, Miss M. H. Shearman.

Maryland—Mrs. B. W. Corkran, Mrs. B. H. Smith.

New York—Mrs. F. Nathan, Miss H. P. Stokes, Miss M. R. Sanford, Miss Russell, Mrs. Phillips, Miss Goldmark, Miss Ainslie.

New Jersey—Mrs. G. W. B. Cushing.

Oregon—Miss M. Montgomery.

Pennsylvania—Mrs. W. J. Askin, Mrs. S. B. Weston, Miss A. C. Watmough, Miss W. E. Grubb.

The treasurer's report was read and accepted.

The general secretary reported two very important things done this year: winning the Oregon case, *Curt Muller vs. State of Oregon*, and carrying out the resolution of last year regarding investigation of conditions of working women and children.

In this investigation co-operation by State Leagues had not proved helpful. Successful comprehensive investigation carried out on a basis of voluntary co-operation seemed impossible. The investigation so far as it had gone had been carried on by one of the office staff of the National League.

Miss Stokes moved "That the secretary's report be accepted." Carried.

Miss Watmough moved "That the investigation by Miss Ainslie into the living conditions of working women and girls be continued during the present year." Carried.

Miss Bissell moved "That the Council recommend that the various leagues carry on investigations during the coming year on the basis of the schedule prepared by the National League." Carried.

In the absence of Miss Lakey, Mrs. Kelley gave the report of

the Food Committee. Miss Watmough moved "That this report be received." Carried.

Miss Stokes moved "That the resolutions embodied in the Food Committee's report be discussed one by one." Carried.

Whereas, It is of the utmost importance for the proper enforcement of the Food and Drugs Act of June 30, 1906, and of the several state food acts, that there shall be uniform food standards whereby the manufacturer, seller, buyer and control official, national or state, may have identical bases of judgment; and

Whereas, The work so ably accomplished in the past by the Joint Committee on Standards of the Association of State and National Food and Dairy Departments, and the Association of Agricultural Chemists, in determining what these bases of judgment should be, is of great scientific value and should be continued by said joint committee until all foods are standardized; and

Whereas, The Food and Drugs Act of June 30, 1906, imposes upon the Secretary of Agriculture the duty of determining what can be properly regarded as pure, unadulterated, properly branded foods; be it

Resolved, That the Secretary of Agriculture be urgently requested to use all reasonable efforts to secure the enforcement of the food standards already adopted or that may be adopted by the joint committees on standards of the Association of State and National Food and Dairy Departments and the Association of Official Agricultural Chemists.

Miss Stokes moved "That the preamble and first resolution be adopted." Carried.

Resolution 2

Resolved, That the United States Government be requested to call an International Pure Food Congress to consider uniform means for dealing with food and drug adulteration and misbranding.

Mrs. Phillips moved "The adoption of the second resolution." Miss Stokes amended, by omitting the word "uniform." Carried as amended.

Resolution 3

Resolved, That the National Consumers' League respectfully point out to the governors and to the state legislatures of the various states the urgent need for legislation and for appropriations to provide for the inspection of slaughter houses and the inspection of all animals before and after slaughter.

Miss Sanford moved "To recommend resolution 3 to State Leagues." Carried.

Resolution 4

Resolved, That attention be also directed to the need of inspection to prevent the sale of milk from diseased animals and to eradicate tuberculosis and other diseases from dairy animals and to quarantine the states against the bringing in of any cattle infected with tuberculosis.

Mrs. Weston moved "To recommend resolution 4 to State Leagues." Carried.

Resolution 5

Resolved, That the National Consumers' League endorses the work of Commissioner E. F. Ladd, of North Dakota, to have bleached flours labeled so that the consumers may know when low grades of flour have been bleached to resemble the better grades.

Mrs. Weston moved "That resolution 5 be laid on the table." Carried.

Mrs. Weston moved "That the National Consumers' League protest against the misuse which the United States Department of Agriculture permits of the guarantee clause in the national pure food law." Carried. The League respectfully points out that this guarantee clause was intended solely as a rule of evidence to enable dealers to prove when they have handled foods in good faith believing such foods to be pure. Under a ruling, not provided or intended in the act, all kinds of food and drug adulteration now appear on the market "Guaranteed under the Food and Drugs Act of June 30, 1906, Serial No. . .," making it seem that such articles are guaranteed by the government.

Report of Finance Committee read and accepted.

Label Committee, International Committee and Lecture Committee reported progress.

Mrs. Askin moved "That Section 4, Article II, of the By-Laws be amended, by adding to the title of the Committee on Legislation the words 'and on Legal Defense of Labor Laws,' and that the words 'and shall assist in the defense of the laws by supplying additional legal counsel or other assistance,' be added to this section." Carried.

Mrs. Nathan moved "That some of the Women's Colleges be represented among our Honorary Vice-Presidents." Carried.

Mrs. Askin, Chairman of Nominating Committee, reported the following nominations:

President, Mr. John Graham Brooks.

First Vice-President, Mrs. Frederick Nathan.

Second Vice-President, Mrs. Mary H. Wilmarth.

Third Vice-President, Mrs. M. R. Trumbull.

Treasurer, Mr. G. Herman Kinnicutt.

Recording Secretary, Mrs. G. W. B. Cushing.

General Secretary, Mrs. Florence Kelley.

Chairman Finance Committee, Mr. Herbert L. Satterlee.

Report adopted and Secretary requested to cast an affirmative ballot for these officers.

Mrs. Nathan named for Nominating Committee for 1909: Mrs. Corkran, Maryland; Miss Bissell, Delaware; Miss Bradford, New Jersey.

Mrs. Phillips moved "That the Delaware League be thanked for its hospitality." Carried.

Miss Sanford moved "That a vote of thanks be given to the New Century Club." Carried.

Miss Stokes moved, and Miss Montgomery, of Oregon, seconded the motion, "That the Council of the National Consumers' League at its annual meeting on March 3, 1908, vote that Mr. Louis D. Brandeis be thanked for his work in the case of *Curt Muller vs. the State of Oregon*." Carried.

The evening session of the Council was held in the New Century Club and was a public meeting. Mrs. Frederick Nathan presided and the meeting was addressed by Mr. Henry R. Mussey and Mr. Scott Nearing, of the University of Pennsylvania, and by the General Secretary.

THE TENTH ANNUAL SESSION OF THE COUNCIL

The tenth annual session of the Council of the National Consumers' League was held in Providence, Rhode Island, on March 2, 1909, at 2 o'clock. In the absence of the President, Mr. Brooks, the first Vice-President, Mrs. Frederick Nathan, in the chair. The roll call showed representation from seven states and three college leagues:

Massachusetts—Mrs. Sherwin, Miss Howes, Miss Harris and Mr. Bradley.

New York—Miss Stokes, Miss Sanford, Mrs. Phillips, Miss Kendall, Mrs. Nathan, Miss Utley, Miss Ainslie, Miss Goldmark, Miss Watson, of Utica.

Rhode Island—Mrs. Barus, Mrs. Eaton.

Pennsylvania—Mrs. Weston.

Maine—Mrs. Richards.

Connecticut—Mrs. Wallace.

Michigan—Miss Sibley.

Wellesley College—Miss Savage.

Mt. Holyoke College—Miss Olcott and Miss Peck.

Smith College—Miss Kimball and Miss Sperry.

The minutes of the last annual session of the Council were read and accepted.

The report of the Treasurer was read and accepted.

The Finance Committee reported progress.

The Publication Committee's report was given by Miss Josephine Goldmark. The Russell Sage Foundation had given funds for an investigation into the literature concerning the health of working women. This investigation shows that the medical literature on fatigue throws much light on the need of reducing women's working hours, as a health measure. It is hoped that the results will be published and furnish valuable material for legislative work and judicial decisions affecting labor laws. Miss Goldmark submitted the following resolutions:

Whereas, the fifteenth International Congress of Hygiene and Demography is to be held in the United States in 1910, and at the last meeting of the Congress in Berlin, the papers dealing with fatigue as a result of

occupation based on invalidity insurance records were of great value as scientific arguments for reducing working hours, and since such discussions on American data do not exist,

Resolved, that the National Consumers' League respectfully requests the appropriate committee to invite American physicians and scientists to submit papers on this subject to the next International Congress. Carried.

Resolved, that the National Consumers League thank the trustees of the Russell Sage Foundation for substantial assistance which has made possible the investigation into the literature on the health of working women and urges the publication of such material as soon as the investigation is completed. Carried.

Miss Ainslie's investigation of earnings and expenses of working girls living away from home has been completed and put into literary form.

Miss Sanford moved "To print Miss Ainslie's report as a publication of the National Consumers' League or in some popular magazine." Withdrawn.

A substitute offered by Mrs. Weston was adopted, "That the matter be left to the Publication Committee, Mrs. Kelley, Mrs. Weston and Mr. Brooks being added for this occasion." Carried.

The Secretary reported that the present method of dealing with the sweating system had proved wholly insufficient, and more radical measures must be considered. She recommended that the Council ask the Commissioner of Labor of New York State to secure the introduction in the legislature of New York of a measure prohibiting manufacture in tenements in New York City, Buffalo and Rochester, New York City being still the great center of garment manufacture in the Western Hemisphere and the source of a never-failing stream of infected goods manufactured in tenements.

White lists were in use in New York, Philadelphia, Baltimore, Cleveland, Cincinnati and Albany. The Secretary recommended an appeal by the Council to the state and local leagues for the creation of white lists.

The absence of a deficit as shown by the Treasurer's report and of unpaid bills was due to the personal exertion of two members of the Finance Committee and to the policy pursued during the year of ordering no printing without having the money to pay for it. It is hoped that a new edition of the Handbook may be printed in 1910.

As the first consequence of the decision of the United States Supreme Court in the Oregon case, women employed by telephone,

telegraph, transportation companies, and mercantile establishments, have been put under the ten hours law in Oregon.

Miss Browne, Fellow of the College Settlements Association, whose services as investigator for the current year have been given to the National Consumers' League, has made studies of children found by the factory inspectors illegally at work in New York City. The information gathered will be printed in the summer, and it is hoped that it may afford a valuable method for stimulating factory inspectors and truant officers. Report accepted.

The report of the Lecture Committee was informally given by the General Secretary.

The Food Committee's report, in the absence of the chairman, Miss Lakey, was summarized by the Secretary as follows: Regular meetings of the committee had not been held, it had only met for special business. Its principal work had been drafting a slaughter house and meat inspection law, for use by the states.

Certain printed matter had been issued.

A concerted effort had been made to defeat the purposes of the federal pure food law. The congressional appropriation to continue the Referee Board was about to be voted upon. The Chairman therefore asked that the Council adopt a resolution and forward it to the Conference Committee of Representatives and Senators and to President-elect Taft, as soon as he should be inaugurated. The Chairman asked that the resolution endorsing Dr. Wiley adopted at the quarterly meeting of the Executive Committee on January 15th be now ordered sent to the President-elect and fifteen Senators named by her.

Mr. Martin, Treasurer of the Food Committee, reported a balance of \$10.25 in its treasury, with an unpaid printing bill of \$1.75. Report accepted.

Mrs. Phillips moved that telegrams be sent to the Congressional Conference Committee urging that the \$200,000 appropriation for the Referee Board of the Department of Agriculture be discontinued. Carried.

As Mr. McLean, the Chairman of the International Committee, was not present, Mrs. Nathan gave a brief oral report for the committee, naming the leagues and countries represented at the Conference of Consumers' Leagues held in Geneva in September, 1908. The Conference met in the aula of the University of Geneva by

invitation of the President of the Department of Education of the Canton. It was presided over by Mr. Auguste de Morsier, a member of the Swiss National Council. The Secretary was M. Jean Brunhes. The Consumers' Leagues of Switzerland, France, Germany and the United States were represented by delegates. There being no Consumers' League in England, that country was represented by delegates from the Anti-Sweating League. There were present to confer persons interested from England, France, Germany, Italy, Austria, Belgium, Russia and Spain. Among the subjects discussed were evening overtime work of women (night work for women in manufacture being forbidden after 10 p. m. except in Sweden), home work, minimum wage boards, trade organization, labor law enforcement, the chocolate industry, and an international label.

Mrs. Nathan suggested that minimum wage boards might be established in this country.

On motion, it was resolved "That the National Consumers' League recommends that state and local leagues study the subject of minimum wage boards with a view to a legislative campaign in 1910, and that the President be authorized to appoint a special committee of the National League to further this object." Carried.

A resolution was received from the Executive Committee meeting held on March 2d as follows:

Moved "That the Executive Committee recommend to the Council that it (1) ask Commissioner Williams, of New York, to introduce as an administration measure a bill to prohibit all manufacture in any tenement house in cities of the first class, and that the Council (2) authorize the Executive Committee to secure the introduction of such a measure in case Commissioner Williams takes no action in the matter."

After discussion this motion was amended on motion of Miss Stokes:

Moved "That the National Consumers' League recommend to Commissioner Williams, of New York, that he introduce as an administration measure a bill to prohibit all manufacturers, merchants, contractors, jobbers and all other corporations and persons from giving out any goods for manufacture in tenement houses in cities of the first class in the State of New York, and

Resolved that in case Commissioner Williams takes no action in the matter, the Executive Committee devise some means by which such a measure may be introduced." Carried.

Reports for their Leagues were given informally by delegates from New York State, Massachusetts, Pennsylvania, Detroit, Rhode Island, Smith, Wellesley and Mt. Holyoke Colleges.

The Nominating Committee presented the following officers for the ensuing year :

President, Mr. John Graham Brooks, Cambridge, Mass.

Vice-Presidents: Mrs. Frederick Nathan, New York.

Mrs. H. M. Wilmarth, Illinois.

Mrs. B. H. Trumbull, Oregon.

Mrs. Frederick C. Howe, Ohio.

Mrs. B. C. Gudden, Wisconsin.

Miss Jean Gordon, Louisiana.

Mrs. R. P. Halleck, Kentucky.

Treasurer, Mr. G. Hermann Kinnicutt, New York.

Recording Secretary, Mrs. G. W. B. Cushing, New Jersey.

General Secretary, Mrs. Florence Kelley, New York.

The Recording Secretary was instructed to cast one ballot for these officers.

The evening session of the Council was held in the Beneficent Congregational Church and was a public meeting. Bishop McVickar presided and the meeting was addressed by Mrs. Frederick Nathan, Mr. Robert A. Woods and the General Secretary.

REPORT OF THE SECRETARY

Two epoch-making events have occurred since the publication of the last report, one international, the other national. These are the International Conference of Consumers' Leagues at Geneva, Switzerland, in September, 1908, and the decision of the Supreme Court of the United States, in January, 1908 (known as the Oregon decision), in which the court established the principle that the Constitution of the United States is no barrier to the enactment by the states of laws restricting the working hours of adult women.

Details of these important occurrences may be found elsewhere in this report.

The National Consumers' League now embraces sixty-one Leagues in nineteen states: Connecticut, Delaware, Georgia, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee and Wisconsin.

There are Consumers' Leagues in the following universities, colleges and boarding schools: The Universities of Wisconsin and Minnesota; Wellesley College, Bryn Mawr, Vassar, Smith, Mt. Holyoke, Swarthmore, Simmons and Milwaukee-Downer; and St. Agnes School, Albany, N. Y.; Lasell Seminary, Auburndale, Mass.; Dwight School, Englewood, N. J., and Mrs. Dow's School, Briarcliff Manor, N. Y. Of these, the Leagues at Smith, Minnesota and Briarcliff are new.

College leagues are delicate plants which need incessant cultivation as the seniors graduate and new classes come forward. The most stable one has been the Wellesley College League, because of the abiding interest on the part of Misses Coman, Balch, Scudder and other members of the faculty, who never let the interest of the students flag. At Bryn Mawr and Swarthmore the same influence is exerted by the Consumers' League of Philadelphia, whose active executive secretary cultivates among the students a perennial interest in the work of the League. At Milwaukee-Downer College Miss Sabin has for several years exercised a similar influence. In several colleges, on the other hand, promising Leagues have, during the past ten years, lapsed by reason of the indifference of the faculty,

where no League existed in the local community to stimulate the interest of the students. At Smith College, where a lively Consumers' League had thus lapsed, a new one has been constituted during the present year.

The list of manufacturers authorized to use the label now includes sixty-nine names in thirteen states: Illinois, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Wisconsin. It is still true, as it has been for several years, and for the same reason, that more of these factories are to be found in Massachusetts than in any other state. The law protecting women is more stringent and more vigorously enforced than elsewhere. The closing hour for women in all branches of manufacture is set at ten o'clock and in textile industries at six o'clock in the evening for women and minors under the age of eighteen years. Everywhere one great obstacle to the use of the label is the desire of employers to use overtime work. In Massachusetts this obstacle is removed by law.

WORKING HOURS OF ADULT WOMEN

A service of incalculable value to wage-earning women in the United States was rendered conjointly by the National Consumers' League, the Consumers' League of Oregon and Mr. Louis Brandeis, of Boston, Mass., who generously gave his services as counsel in the case of *Curt Muller vs. the State of Oregon*. In this case, the Supreme Court of the United States sustained (February 24, 1908) the validity of the Oregon statute which provides that "no female shall be employed in any mechanical establishment or factory or laundry more than ten hours during any one day."

Incidentally this decision confirmed the validity of the statutes of Colorado, Connecticut, Louisiana, Massachusetts, Maryland, Maine, Michigan, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington and Wisconsin, restricting more or less effectively the working day of women employed in manufacture. It prepared the way for the re-enactment, now happily accomplished, of the statute restricting women's working hours in Illinois, where, since May, 1895, these workers had been deprived of all protection whatsoever in consequence of the decision of the Supreme Court of Illinois in the case known as *Ritchie vs. The People*.

Further information as to this successful effort may be found in the report of the Publication Committee. The text of the decision is there given in full.

Nothing has shown so clearly as this experience the value of the National Consumers' League as a clearing house for information and center for effective co-operative effort. The Consumers' League of Oregon sounded the note of warning that the ten hours laws of that state was in danger of annulment, and with it the legislation of many states embodying the same principle.

The decision having been obtained, there has been a steady demand from every part of the country for copies of the brief submitted by Mr. Brandeis.

Encouraged by this decision, Consumers' Leagues and other organizations in fourteen states—Colorado, Connecticut, Illinois, Massachusetts, Minnesota, Missouri, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Washington and Wisconsin—have renewed the effort to establish a legal maximum working day. In Oregon the ten hours law has been extended to women employed by transportation, express, telephone and telegraph companies. The working week is now limited at all seasons to sixty hours. Illinois enacted a ten hours law for women.

In New York and Colorado education will be needed to convince legislators and courts that the favorable federal decision overrides previous adverse decisions of state courts. This is, however, a campaign which will be carried on until in every state working women and girls are assured protection against overwork by measures as humane and effective as any in force in the most enlightened nations of Europe.

WORK AT NIGHT BY GIRLS AND BOYS UNDER 21 YEARS OF AGE

Two occupations in which thousands of young boys and girls between the ages of 15 and 21 years are employed are peculiarly unsuitable for them. In both the consumer is served by these young workers directly, and is, therefore, in a position to demand the service of adults. These occupations are night shifts in telephone exchanges, telegraph offices and the messenger service.

Young boys and girls should, in general, be stopped from working at night, in the interest of the public health and morals. It is hard for men and women to make up by day sleep lost by working at night. It is harder for young boys and girls to do so.

In these employments, moreover, the special circumstances are such that no effort should be spared to encourage the employment of adults. Messengers at night are used largely to convey disreputable messages to disreputable people and places. They are kept in contact with all that is worst in the community. The only reason for preferring them to men is their cheapness to the companies. To the community nothing could well be more expensive.

Night work for girls, boys and youths predisposes them to dependence upon stimulants and narcotics and to the absence of the conventional restraints upon conduct and comradeship. It predisposes them to nervous breakdown and tuberculosis. It is in every respect exactly the opposite of training for long life, good health, efficient work and self-respect.

No person below the age of 21 years should be at work in these employments between the hours of seven at night and seven in the morning. Every person who reads these lines can help to discourage the employment of young persons in these occupations. It is always possible in calling at night for a messenger to stipulate for a man, and to protest to headquarters when a boy is sent.

The work of young girls in telephone exchanges at night is a phenomenon new in the history of the race. The telephone itself is so new that few of its users have learned to consider it critically. Still fewer know that hundreds of telephone operators, young girls not yet twenty-one years of age, spend the night in the lobbies of hotels exposed to the liberties of the traveling public, utterly unprotected from the gravest moral dangers.

The processes of enacting workable legislation in our fifty-two states and territories are painfully slow. While waiting for laws to be enacted, however, the public can in this case take direct action by requesting the telephone companies that no person not clearly twenty-one years old be employed.

THE EIGHT-HOURS DAY FOR WORKING CHILDREN

A cheering feature of the retrospect of ten years is the following table of the District of Columbia and sixteen states which now more or less completely restrict to eight hours the work of children:

8 in 24	48 in one week...	District of Co-	Children under 16 years of age
		lumbia.	in all gainful occupations.
8 in 24	48 in one week...	Ohio	Girls under 18, boys under 16, in
			all gainful occupations.

8 in 24	48 in one week...	Illinois	.....	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Kansas	.....	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Nebraska	.....	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	North Dakota	.....	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Oklahoma	.....	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	New York	.....	Children under 16 in all factories.
8 in 24	48 in one week...	Wisconsin	.....	Minors under 18 in cigar manufacture.
8 in 24	.....	Colorado	.....	All children under 16 years in stores, factories or any occupations injurious to health in the discretion of the county judge.

8 in 24	<div style="display: inline-block; vertical-align: middle;"> <div style="font-size: 3em; vertical-align: middle; margin-right: 5px;">{</div> <div> Arizona Colorado Montana Missouri Nevada Oklahoma Oregon Utah Wyoming </div> </div>	} All persons in mines.
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Of these, the District of Columbia, Kansas, North Dakota and Oklahoma are new since the last issue of the Handbook of Child Labor Legislation, in May, 1908.

Aside from the mining laws, all these laws have been promoted by the Consumers' League either as such or through active members in co-operation with other organizations.

Significant is the fact that this short list contains New York and Illinois, two of the three great industrial states, the third, Pennsylvania, having just reduced the working hours from twelve to ten for all girls below the age of eighteen years. The list contains, however, no southern state and no New England state. In both those sections the cotton mill industry still is more powerful than the friends of the children.

The task of obtaining the eight hours day for the working children in their respective states confronts Consumers' Leagues in

Connecticut, Delaware, Georgia, Kentucky, Maryland, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, Oregon, Pennsylvania, Rhode Island, Tennessee, and Wisconsin. In some of these states there are child labor committees, but everywhere the task of educating the shopping public is our own.

The greatest gain made in any state in 1909 is that of Pennsylvania, whose story follows:

To the Friends of Pennsylvania's Young Workers:

Your efforts in the recent legislative campaign have helped to bring about the passage of a new Child Labor Act, signed yesterday by the Governor, of which the following are the most important points:

1. Issuance of employment certificates for children between fourteen and sixteen years by school authorities only, and upon proper evidence of age.
2. Restriction of work to an average of ten hours a day to boys under sixteen and *girls under eighteen*.
3. Protection of children under eighteen from employment in dangerous occupations.
4. Abolition of night work after 9 p. m. for boys under sixteen and *girls under eighteen*, with the exception that boys between fourteen and sixteen may be employed for nine hours at night in industries requiring "continuous operation."
5. *Establishment of forty-five minutes as a minimum period for the noon-day rest.*

The words in italics represent the provisions originally contained in the separate bill for women and girls which the Consumers' League presented to the legislature and asked you to support. You will notice that the provision regulating the number of hours daily and weekly for *adult* women has been lost. Unsurmountable opposition was shown to certain portions of this bill which held it in committee in spite of all our efforts. In order not to lose the entire measure, we were advised to amend the Child Labor Bill so as to include as many as possible of the provisions for the benefit of female workers. This was done, with the results just enumerated.

Careful observation will be required when this law goes into operation on January 1, 1910, to ascertain its effect on the hours of labor of adult women. The results of this observation will decide the wisdom and necessity of a further effort to prevail upon the next legislature to repair this one omission.

Although this one important issue has been lost, a great stride forward has been made by this legislature. Your response to the request sent from this office has helped to extend the protection of the new law over that great army of girls from sixteen to eighteen years, employed in the industries of Pennsylvania, who, under the terms of the original bill, would have been left with no protection whatsoever from unrestricted hours of work.

The universal expression of public interest in the whole question of

child labor has brought about the good which has been gained. We were notified from Harrisburg that the legislature was "flooded with letters and telegrams on the Shern Bill," and that it was "the one topic of interest at that time." . . . The Consumers' League is deeply grateful to all the friends of the young workers, whose help has made possible the achievement of this result.

Very truly yours,

FLORENCE L. SANVILLE,

Secretary, Consumers' League of Philadelphia.

LABOR INSPECTORS

There is a growing feeling that the shopping public has a claim to be able to buy goods with an easy conscience if it deals with reputable merchants, pays the price which they ask, and pays its bills promptly. On these terms a customer may well suppose herself free from participation in the employment of child labor and from encouraging the sweating system. At present, however, we have no such assurance. We still lack the knowledge we most sorely need. Of thirteen southern states, for instance, there are still seven without factory inspectors—Florida, Texas, North Carolina, Virginia, Mississippi, West Virginia, and Georgia. And without inspection there is neither enforcement of such laws as exist nor a basis for enlightened legislation.

In the last report four southern states having factory inspectors were mentioned, viz., Kentucky, Louisiana, Maryland and Tennessee. To these Alabama and South Carolina have since been added. Alabama has one man to visit insane hospitals, gaols and cotton mills. South Carolina has two newly-created factory inspectors. Their creation shows that these states now recognize the principle of state supervision and control. This is the chief value of these two new laws.

This excessive slowness of legislation indicates the need of patient educational work by the Consumers' League, interesting all people in the community, since all are consumers.

In New York City alone each year about 25,000 children 14 to 16 years of age leave school legally to enter the field of industry. To them it is of the utmost importance that the State Department of Labor enforces with energy the provisions of the child labor law, such as the eight hours day and the 5 p. m. closing hour. This official activity would be impossible without the permanent backing

of public opinion, such as the Consumers' League has been actively engaged in educating and organizing for nearly twenty years.

In 1908 a chief mercantile inspector with eight deputies was appointed, who are now at work in the cities of the first class, New York City, Buffalo and Rochester. The first six months of their work proved conclusively the error of leaving to local health boards, as had previously been done, the task of enforcing labor legislation.

If the long effort of the Consumers' League and the Child Labor Committee of Pennsylvania for the removal of State Factory Inspector John C. Delaney and the appointment of an efficient officer in his place should be accomplished, the benefit to the children would be incalculable.

WHITE LISTS

In an industrial period like the present only a strongly organized body of public opinion counts on behalf of the working boys, girls and youths, and the burdened mothers of young children striving to support the family. None of these can defend their own interests under the pressure of competition, the effort for cheapness at all costs, and the flood of immigrants bringing an ever lower standard of life.

For creating a stable body of public opinion, nothing has been invented more effective than the white list of the Consumers' League. The process of making the list and keeping it up-to-date is in itself a continuing educational force.

A white list is no sooner published than it becomes a means of getting knowledge not otherwise obtainable. For every merchant not included volunteers facts about every one in it, and also all the favorable facts about himself.

According to the standard of the Consumers' League of New York City the working day consists of nine working hours. The minimum weekly wage for clerks eighteen years old who have had one year's experience is \$6.00. Neither provision is satisfactory, but each marks an improvement over the usages of past years. And each is better than the corresponding provision in cities which have no white list. The importance of a minimum wage and a maximum working day are only beginning to be generally recognized. They are invaluable as means of combating disease and vice.

Every city as large as Cleveland, Ohio, and Detroit, Michigan,

should have a white list. Until one is formed, no one really knows what wages are paid, what the hours of labor are in the stores, whether clerks are free to use the seats which the law may require.

In a city in which there has never been a white list, the procedure for establishing one is as follows: A visiting committee is formed consisting of two influential, persuasive women who have patience and leisure. In New York City this work has been done for eight consecutive years by the same women, who spend one afternoon every week in visiting merchants by appointment. They know accurately the conditions in white list stores. They discuss, on friendly terms, such problems as early closing at Christmas and on summer Saturday afternoons. They investigate the complaints of employees as to infractions of the labor law and of the League's standard. Information which comes to them is the strictly confidential property of the governing board.

The success of the white list depends upon the patience, good sense and continuity of this committee; upon the extent to which the white list is made known, and the degree to which the public gradually comes to depend upon it for guidance.

After nearly twenty years of faithful work, the Consumers' League of the City of New York has on its white list fifty-eight merchants. Certain famous stores are still missing from it, because wages are below the standard, or a summer Saturday half holiday is not granted, or for some other substantial reason. No merchant's name is placed upon the white list without a full year of careful observation; and every claim to excellence must be corroborated by employees.

Most fundamental of all requirements is obedience to the labor law provisions applying to stores. Every item of this law has to be thoroughly familiar to the visiting committee and the employers, and no subject comes up more frequently in the work of the visiting committee.

CONGRESSIONAL BILLS

Of the bills endorsed by the National Consumers' League pending before Congress at the time of publication of the last report, that which provided for regulating child labor in the District of Columbia has since been enacted.

This is by no means a model law to be copied by the states,

because it provides for exemption of children 12 to 14 years old who have sick parents or impoverished younger brothers or sisters. It does, however, remove the Nation's capital from the black list of states and territories having no child labor law.

There remains to be passed the long pending bill for a children's bureau in the federal government. The disappointment attending the failure of the Sixtieth Congress to pass it was the greater because the bill had been favorably reported by committees of both houses of Congress and recommended in a special message by President Roosevelt. Every argument in favor of creating this bureau which applied when the bill was first introduced applies still. The following are some of the points on which it is hoped that the bureau, when established, may furnish enlightenment:

"1. How many blind children are there in the United States?" Where are they? What provision for their education is made? How many of them are receiving training for self-support? What are the causes of their blindness? What steps are taken to prevent blindness?

"2. How many mentally subnormal children are there in the United States including idiots, imbeciles and children sufficiently self-directing to profit by special classes in school? Where are these children? What provision is made for their education? What does it cost? How many of them are receiving training for self-support?

"3. How many fatherless children are there in the United States? Of these, how many fathers are dead? How many are illegitimate? How many are deserters. In cases in which the father is dead, what killed him? It should be known how much orphanage is due to tuberculosis, how much to industrial accidents, etc. Such knowledge is needful for the removal of preventable causes of orphanage.

"4. We know something about juvenile illiteracy once in ten years. This subject should be followed up every year. It is not a matter of immigrant children, but of a permanent, sodden failure of the republic to educate a half million children of native English-speaking citizens. Current details are now unattainable.

"5. Experience in Chicago under the only effective law on this subject in this country, indicates that grave crimes against children are far more common than is generally known. There is no official

source of wider information upon which other states may base improved legislation or administration.

"6. How many children are employed in manufacture? In commerce? In the telegraph and messenger service? How many children are working under ground in mines? How many at the mine's mouth? Where are these children? What are the mine labor laws applicable to children? We need a complete annual directory of state officials whose duty it is to enforce child labor laws. This for the purpose of stimulating to imitation those states which have no such officials, as well as for arousing public interest in the work of the existing officials.

"7. We need current information as to juvenile courts, and they need to be standardized. For instance, no juvenile court keeps a record of the various occupations pursued by the child before its appearance in court beyond, in some cases, the actual occupation at the time of the offense committed. Certain occupations are known to be demoralizing to children, but the statistics which would prove this are not now kept. It is reasonable to hope that persistent, recurrent inquiries from the federal children's bureau may induce local authorities to keep their records in such form as to make them valuable both to the children concerned and to children in parts of the country which have no similar institutions.

"8. There is no accepted standard of truancy work. In some places truant officers report daily, in others weekly, in some monthly, in others, never. Some truant officers do no work whatever in return for their salaries. There should be some standard of efficiency for work of this sort, but first we need to know the facts.

"9. Finally, and by far the most important, we do not know how many children are born each year or how many die, or why they die. We need statistics of nativity and mortality. What Dr. Goler has done for Rochester should be made known to all the health authorities in the United States, and the success or failure of the others in reaching his standards should be published with ceaseless reiteration."

The time when the Children's Bureau bill will be enacted depends upon the sustained and energetic interest expressed. State and local Leagues can help its passage by keeping the subject actively before their senators and representatives.

INVESTIGATIONS

I. *The Standard of Living*

At its eighth annual meeting the Council voted "that the National Consumers' League undertake to investigate wages and the standard of living of self-supporting women throughout the country." Much of the time of Miss S. B. Ainslie has, therefore, for two years been devoted to such an investigation. The results will be published in a volume appearing in the early fall. Several life stories of working girls and women living away from home have been grouped under the title "Why Working Girls Fall Into Temptation" and will appear in the Ladies' Home Journal in November. Whoever reads the statements of these hundreds of honest working girls interviewed by Miss Ainslie, will be impressed by the skill and sympathy with which she has induced them to lay bare their painful economies. The thoughtful reader cannot escape the conviction that under the conditions of wages and living now prevailing, while self-supporting women do unquestionably, by tens of thousands, live righteously, they cannot maintain the common standard of physical health. This volume will form a convincing argument for far greater publicity concerning wages than we now have, and will lay the foundation for an agitation in behalf of minimum wage boards.

II. *Children Found Illegally at Work*

An investigation which promises to be of lasting value has been carried on by Miss Margaret W. Browne, Fellow of the College Settlements Association, under the direction of the General Secretary, and Miss Pauline Goldmark, Secretary of the New York City Consumers' League. This covers home and school causes of illegal employment of children in New York City who are found at work in factories and reported to the school authorities by the State Department of Labor. Commissioner of Labor John Williams very kindly sends to our office a duplicate of the daily list of names and addresses which he sends to the Department of Education. It is hoped that the methods of tracing leakage of pupils from schools to factories worked out by Miss Browne may prove of use to Consumers' Leagues in other places.

INTERNATIONAL CONFERENCE

The First Vice-President, Mrs. Frederick Nathan, and the Secretary attended the first International Conference of Consumers' Leagues at Geneva, Switzerland, September 24, 25 and 26, 1908. There were present representatives of the Consumers' Leagues of France, Switzerland, and Germany. There being no Consumers' League in England, delegates came from the Anti-Sweating League. There were 650 subscribers to the Conference and several hundred men and women were present at every session. All the leading European nations were represented. The meetings were held in the aula of the University of Geneva, M. de Morsier, a member of the General Council of Switzerland, presiding.

The subjects discussed were divided under four general heads, with two or three topics under each head:

First, our immediate responsibilities, comprising evening overtime work, clerks and other employees in stores, and the housing of servants;

Second, means of action, the label and the white list;

Third, rights and duties of purchasers, including industrial conflicts and arbitration, honest and dishonest organizations, co-operation and the state.

Four, home work, its present status, reforms relating to home work.

Mrs. Nathan presented a condensed history of the parent League, that of New York City, and a paper on the Improvement in the Condition of Sales-clerks accomplished by the Consumers' League of the City of New York. At still another session, Mrs. Nathan described the evils of home work as it exists in our great cities. All these papers and addresses were in French.

The Secretary presented a paper on tenement house work in the United States and the efforts of the Consumers' League to abolish it.

The resolutions adopted by the Conference have been reported to the constituent Leagues, and may be found printed in French, German and English in the volume of Proceedings of the Conference issued by the Secretary, Mme. Jean Brunhes, 28 Rue Serpente, Paris, France.

TENTATIVE LIST OF REFERENCES ON WAGE BOARDS

- Clark, Victor S.: Labor Conditions in Australia in Bulletin No. 56 of the U. S. Bureau of Labor, p. 60. A careful account of the Victoria system, based on investigation on the ground.
- Clark, Victor S.: Labor Movement in Australasia. N. Y., Henry Holt, 1906. Minimum Wage Boards, p. 138.
- United States Bureau of Labor Bulletin, No. 60. Government Industrial Arbitration.
- Macrosty, Henry W.: State Arbitration and the Minimum Wage in Australasia, in Commons' Trade Unionism and Labor Problems, p. 207. Another good account of the system in Victoria by an impartial writer.
- Weber, A. F.: The Report of the Victorian Industrial Commission. In Quarterly Journal of Economics (August, 1903), Vol. XVII, p. 614. A summary (both of facts and conclusions) of the report of a commission appointed in Victoria to investigate the operation of the Factories and Shops Law of Victoria, the bulk of the report being devoted to the *wages boards*. Contains detailed information as to the working of the system.
- Reeves, W. P.: State Experiments in Australia and New Zealand, Vol. II, pp. 47-69. A partisan description of the Australian wage boards.
- Webb, Sidney and Beatrice: Industrial Democracy. Introduction to the 1902 edition, pref. p. 36. A brief, favorable account of the Victoria boards.
- Cadbury, Edward, and others (M. Cecile Matheson and George Shaun): Women's Work and Wages, Chapter XII. Discusses the arguments for and against establishment of national minimum wages.
- Bosanquet, Helen: The Strength of the People, p. 286. A critical discussion tending to a conclusion adverse to wage boards.
- Meyer, Mrs. Carl, and Black, Clementina: Makers of Our Clothes. A Plea for Trade Boards. Duckworth and Co.
- Gough, George W.: The Wage Boards of Victoria. Econ. Journal, Vol. 15, pp. 361-373. London, 1905.
- MacDonald, J. Ramsay: Sweating and Wage Boards. Nineteenth Century and After. Vol. 64, pp. 748-762. London, 1908.
- MacDonald, J. Ramsay: Arbitration Courts and Wages Boards in Australasia. Contemporary Review, March, 1908, p. 308.
- Smith, H. B. Lees. Econ. Journal, 1907. V. 17, pp. 505-512. "Economic Theory and Proposals for a Legal Minimum Wage."
- Great Britain. Report of Fair Wages Committee (1908, cd 4422-3).
- National Anti-Sweating League Publications, 133 Salisbury Sq., London, E. C.
- Aves, Ernest: Report to Secretary of State on Wages Boards and Industrial Arbitration Acts of Australia and New Zealand (1908, cd 4,167).
- Home Work. Report from Select Committee, with Proceedings, Evidence and Appendix. Committee appointed to consider and report upon the

conditions of labor in trades in which home work is prevalent, and the proposals, including those for the establishment of wages boards, and the licensing of work places, which have been made for the remedying of existing abuses. (House of Commons, cd 290, 1907; cd 246, 1908: price 2s. 1d.) It can be easily secured from P. S. King & Son, Orchard House, 2 and 4 Great Smith St., Westminster, London.

Samuelson, James: *Lament of the Sweated*. London. King, 1908. *Résumé of Report of Select Committee on Housework*, 1908.

Women's Industrial Council: 7 John St., London, W. C. Penny Pamphlets, Hutchins, B. L., and MacDonald, J. Ramsay. *The Case for and Against a Minimum Legal Wage for Sweated Workers*.

Adams and Sumner: *Labor Problems*, p. 493. A very brief theoretical consideration of "Minimum Wage Laws."

MEETINGS

1908.

- March 6—Boston Social Education Association.
 8—Bridgeport, Conn., Congregational Church.
 9—New York City, School of Philanthropy.
 10—New York City, Congestion Exhibit, public meeting.
 14—Baltimore Consumers' League Conference.
 15—Albany, N. Y., St. Agnes' School.
 16—Albany, N. Y., annual meeting, Albany Consumers' League.
 20—New York Child Labor Committee.
 22—New Haven, Conn., Students' Sheffield Scientific School.
 23—New York City, Girls' Technical High School.
 24—New York City, Congestion Exhibit, public meeting.
 25—New York City, Girls' Technical High School.
 26—New York City, Adelphi College students.
- April 1-6—Atlanta, Ga., Conference on Child Labor.
 Atlanta, Ga., Public meeting on child labor.
 Atlanta, Ga., Consumers' League.
 Atlanta, Ga., Suffrage Society.
 Atlanta, Ga., Atlanta University students.
 9—New York City, Society Moral Prophylaxis, public meeting.
 10—Philadelphia Day Nursery Association.
 16—New York Child Labor Committee.
 22—New York City, Barnard College students.
 23—Flatbush, N. Y., public meeting.
 24—New York City, Child Labor Committee.
 30—New Orleans, La., State Federation of Women's Clubs.
- May 2—New Orleans, La., Travelers' Aid Society.
 2—New Orleans, La., Era Club.
 3—New Orleans, La., Unitarian Church, morning service.
 4—Mobile, Pa., public meeting.

- May 5—Chattanooga, Tenn., City Federation Women's Clubs.
 20—Albany, N. Y., hearing before Governor Hughes on canneries law.
 22—New York State Child Labor Committee.
 22—Briarcliff Manor, N. Y., Mrs. Dow's School.
 27—New York City, Girls' Hebrew Technical School.
- June 1—Hackensack, N. J., parlor meeting arranged by Miss Olive St. Clair.
 3—Elmira, N. Y., in City Council Chamber, public meeting.
 3—Elmira, N. Y., in Mr. Eaton's Church, public meeting.
 4—Elmira, N. Y., Working Girls' Club.
 5—Longwood, Pa., Progressive Friends' Yearly Meeting.
 9—New York City, Bronx M. E. Church, public meeting.
 18—Cape May, N. J., State Medical Association.
 23—New York City, Summer School of Philanthropy.
- * September 1-8—Geneva, Switzerland, International Council of Women.
 24-26—Geneva, Switzerland, International Conference of Consumers' Leagues.
 28-30—Lucerne, Switzerland, International Association for Labor Legislation.
- October 23—New York City, School of Philanthropy.
 26—New York City, School of Philanthropy.
 26—New York City, Conference with Commissioner of Labor John Williams and philanthropists.
 27—New York City, Rand School of Social Science.
 28—New York City, National Consumers' League, Label Committee.
 29—New York City, Public School Lecture Course.
 30—New York City, School of Philanthropy.
- November 1—Bryn Mawr, Pa., Miss Baldwin's School.
 2—Philadelphia, Pa., Gordon School.
 3—Philadelphia, Pa., Hill School.
 3—Philadelphia, Pa., Swarthmore Preparatory School.
 4—Philadelphia, Pa., Chapman and Jones.
 5—Briarcliff Manor, N. Y., Mrs. Dow's School.
 6—New York City, School of Philanthropy.
 9—New York City, School of Philanthropy.
 10—New York City, Rand School of Social Science.
 13—New York City, School of Philanthropy.
 14—Providence, R. I., Congregational Church, morning and evening.
 19—Live Oak, Fla., State Federation of Women's Clubs.
 23—Jacksonville, Fla., Women's Club.
 25—New York City, Y. W. C. A., Training School.
 28—Pottsville, Pa., public meeting.
 29—Pottsville, Pa., Philanthropy Club, conference.
 30—New York City, Ethical School.

- December 1—New York City, Child Labor Committee.
 1—New York City, Pratt Institute, Brooklyn.
 1—New York City, Rand School of Social Science.
 2—Cambridge, Mass., Harvard Socialist Club.
 3—Boston, Mass., School for Social Workers.
 4—Boston, Mass., School for Social Workers.
 4—Hartford, Conn., Consumers' League, Child Labor Conference.
 5—New York City, Smith College Club.
 6—Cincinnati, O., National Council of Jewish Women.
 7—Cincinnati, O., Ohio Child Labor Committee.
 9—New York City, Columbia University, Teachers' College, Miss Nutting's class.
 10—New York City, Committee on Congestion of Population.
 10—New York City, Child Labor Committee.
 11—New York City, Child Labor Committee (Sub-Committee on Legislation).
 11—New York City, Socialist Society.
 13—New York City, Y. M. C. A., Brooklyn.
 14—New York City, National Consumers' League, Food Committee.
 15—New York City, Pratt Institute, Brooklyn.
 15—New York City, Rand School of Social Science.
 16—Princeton, N. J., Present Day Club.
 20—Wilmington, Del., Conference on Factory Inspection.
 22—New York City, National Consumers' League, Finance Committee.
 23—New York City, Child Labor Committee, Scholarships.
 23—New York City, Committee on Congestion of Population.

1909.

- January 4—New York City, Colony Club, Dr. Rotch's meeting on working children.
 5—New York City, Pratt Institute, Brooklyn.
 5—New York City, National Child Labor Committee.
 6—New York City, Committee on Congestion of Population.
 7—New York City, National Consumers' League, Food Committee.
 9—New York City, Whittier Hall, High School pupils.
 11—New York City, Public School lecture course, St. Luke's School.
 11—New York City, Tuberculosis Exhibit, Neighborhood Workers' Conference.
 12—New York City, Pratt Institute, Brooklyn.
 13—East Orange, N. J., Conference at home of Mrs. Cushing.
 16—Englewood, N. J., Dwight School, where a branch of the N. J. League was then formed.
 18—Brooklyn, N. Y., Present Day Club.

- January 20—Philadelphia, Consumers' League, annual meeting.
 21-22-23—Chicago, Ill., National Child Labor Committee, annual meeting.
- 25—Wellesley, Mass., Wellesley College Consumers' League.
 26—New York City, Consumers' League, annual meeting.
 27—Washington, D. C., House of Representatives, hearing on Children's Bureau Bill.
- 30—Philadelphia, Pa., public meeting, Witherspoon Hall, arranged by the American Academy of Political and Social Science.
- February 1—Troy, N. Y., public meeting, afternoon.
 1—Troy, N. Y., public meeting, evening.
 2—Schenectady, N. Y., public meeting, afternoon.
 4—Detroit, Mich., Consumers' League annual meeting.
- 5—Cleveland, O., Wimaudausis Club.
 5—Cleveland, O., evening meeting, Y. W. C. A.
 6—Cleveland, O., Consumers' League annual meeting.
 7—Cleveland, O., Epworth Memorial Methodist Church, evening service.
- 8—Akron, O., Women's Council.
 9—Cleveland, O., Women's College.
 9—Cleveland, O., Present Day Club.
- (All these engagements were arranged by the Consumers' League of Cleveland.)
- 15—New York City, Child Labor Committee.
 16—New York City, C. O. S. Conference on children, arranged by the National Child Labor Committee in the interest of the Federal Children's Bureau.
- 16—Poughkeepsie, N. Y., Vassar College, Consumers' League.
 17—New York City, Women's Medical College Alumnæ, public meeting.
- 20—New Haven, Conn., State Consumers' League annual meeting.
 21—Boston, Mass., Ford Hall meeting, subject, "The Lost Leadership of New England in Child Labor Legislation."
 23—Bradford, Mass., Bradford Academy.
 24—Albany, N. Y., Committee on Ways and Means, hearing on Workmen's Compensation bill.
- 25—Poughkeepsie, N. Y., New York State Consumers' League annual meeting.
 26—New York City, Teachers' College, on Industrial Invasion of the Home,—The Sweating System.

REPORT OF THE LABEL COMMITTEE

MANUFACTURERS AUTHORIZED TO USE THE LABEL

Illinois—

Marshall Field & Co., Chicago, underwear, medium and fine.
George Lewis, Chicago, underwear, medium and fine.
A. Roth, Chicago, corsets.

Maine—

The C. F. Hathaway Company, Waterville, underwear.

Maryland—

Mendels Bros., Baltimore, wrappers, kimonos, house suits and waists.
E. Pohl & Co., Baltimore, corsets.

Massachusetts—

Brown, Durrell & Co., Boston, petticoats.
W. H. Burns Company, Worcester, fine underwear (women's and children's).
Clark Mfg. Company, Boston, skirt and stocking supporters.
Columbia Bathing Suit Company, Boston, bathing suits.
Continental Waist Company, Boston, ladies' waists.
Elliott Mfg. Company, Boston, shirtwaists and petticoats.
Fairmount Underwear Company, Hyde Park, underwear, cheap and medium.
Davis Frank, Boston, underwear, medium and fine.
The George Frost Mfg. Company, Boston, skirt and stocking supporters.
Holden-Graves Company, Boston and Gloucester, aprons, tea gowns and wash suits.
Green & Green, Worcester, fine underwear.
Fred. A. Hastings, Boston, petticoats.
C. F. Hovey & Co., Boston, for order work in their own work-rooms.
A. Israel, Worcester, petticoats.
Jordan & Marsh, Boston, for order work in their own work-rooms.
Mrs. M. E. Kelsey, Boston, Bostonia petticoats.
Lester, Mintz & Co., Boston, petticoats.
Natick Underwear Company, Springfield, underwear (women's and children's).
Priscilla Undermuslin Company, Springfield, undermuslins.
Randall Bros., Natick, underwear, all grades.
Ruth Mfg. Company, Somerville, silk petticoats.
Meyer Rosenfield, Boston, underwear.
Sircom Bros., Melrose, petticoats.

Massachusetts—Continued.

Superior Mfg. Company, Boston, "Boston silk petticoat."
Westboro Underwear Company, Westboro, underwear.
Whitall Underwear Company, Lowell, underwear, medium and fine.
Worcester Muslin Underwear Company, Worcester, fine underwear.
Old Home Mfg. Company, Boston, agents for goods bearing the label.

Michigan—

W. H. Allen Company, Detroit, underwear.
Crescent Works, Ann Arbor, corsets.
Jackson Corset Company, Jackson, corsets.
A. Krolik & Co., Detroit, corsets.
McGee Brothers Company, Jackson, petticoats.
Standard Underwear Company, Jackson and Grand Rapids, fine underwear.

New Hampshire—

Ideal Mfg. Company, Tilton, petticoats.
Manchester Garment Company, Manchester, petticoats.

New Jersey—

Henry A. Dix, Millville and Carmel, wrappers, dressing jackets.
Taube, Arlington, underwear.

New York—

Abramowitz & Brill, New York City, ladies' underwear.
Columbia Skirt Company, }
Gillette Skirt Company, } Cortland, petticoats.
New York Skirt Company, }
M. Wilber Dyer Company, New York City, ladies' underwear.
Elmira Skirt Company, Elmira, petticoats.
Gilbert Mfg. Company, New York City, petticoats.
J. B. Goggin & Co., New York City, fine underwear.
Poughkeepsie Queen Undermuslins Company, Poughkeepsie.
Queen City Mfg. Company, Elmira, ladies' muslin undergarments.
Utica Skirt Mfg. Company, Utica, skirts.
The Wade Company, New York City, corsets.
The Wolf Company, New York City, undermuslins and waists.

Ohio—

Antoinette Rowland, Cleveland, aprons.

Pennsylvania—

Middendorff Bros., Philadelphia, fine underwear.
A. L. Samuels, Philadelphia, petticoats.
J. B. Sheppard & Sons, Philadelphia, fine underwear.

Rhode Island—

W. H. Anderson & Co., Providence, underwear.
The Keach & Brown Company, Valley Falls, fine underwear, curtains
Wachusett Mills Company, Providence, the rubdry towels.

Vermont—

Brandon Garment Company, Brandon, wrappers.

Brown, Durrell & Co., Chester, wrappers, house dresses, waists, etc.

Richmond Underwear Company, Richmond, children's drawers and waists.

Wisconsin—

Western Underwear Company, Oshkosh, underwear, all grades.

REPORT OF THE PUBLICATION COMMITTEE

By the Chairman, MISS JOSEPHINE GOLDMARK

The main activity of the Publication Committee for the year 1908-09 is described in the following generous editorial of the *Outlook*, March 21, 1908:

"The story of the fight on behalf of overworked women which was won before the United States Supreme Court may put heart in those who believe that ultimately we shall make industry for the sake of humanity and not regard humanity as existing for the sake of industry. The State of Oregon proceeded against a laundryman for violating one of its laws by employing women for a greater number of hours than the law allowed. The highest court in Oregon sustained the law, and the laundryman appealed. Thereupon the Oregon State Consumers' League notified the National Consumers' League that ammunition was needed to contest the appeal before the United States Supreme Court. The case involved not merely legal questions but questions of social and industrial conditions. Through the good offices of the National Consumers' League, Mr. John Manning, the District Attorney who had the case in charge, invited Mr. Louis D. Brandeis, of Boston, to co-operate. Mr. Brandeis, who gave his services gratuitously in this case, outlined a brief and called upon the National Consumers' League to collect and arrange the facts. Miss Josephine Goldmark, of the League, delved into the libraries—Columbia University Library, the Astor Library, and the Congressional Library were put at her service. Ten readers were employed. One, a young medical student, devoted himself solely to reading on the hygiene of occupations. It is significant that there is a lack of American statistics on this subject; there is plenty of opinion; the general conditions are a matter of common knowledge; but what we need are specific facts. Europe is ahead of America in this respect, and the foreign medical opinions are among the most impressive which were ultimately incorporated in the brief. It is only a lawyer with a broad view and large mind who would do what Mr. Brandeis did—go before the Supreme Court of the United States with a brief of one hundred and thirteen printed pages, of which only two pages could be construed as a strictly legal argument. The result of this impressive presentation of facts was a unanimous decision by the Court that the present and future mothers of the race are worthy of defense against the greed of man. The brief has attracted very wide attention; there is demand for it from lawyers, economists, college professors, and publicists. The success of this work has convinced the National Consumers' League that there is a new field of service for it, and the League has voted to have a permanent committee in defense of labor laws. Child labor, woman's night work, and dangerous occupations for women and children indicate the extent of the field in which this service can be rendered. It is

an immense task which the League has undertaken, and in performing it the League deserves the support of every one who cares less for dollars than for people."

The text of the decision in the Oregon case is given in full following this report, since it is difficult for the general reader to gain access to decisions of the United States Supreme Court, and the document is of vital interest to many people.

Thirteen years ago the Supreme Court of Illinois decided that a state could not, under the federal constitution, restrict the working hours of adult women. Not until more than a dozen years after this decision had deprived women in Illinois of all legislative protection from excessive working hours did the United States Supreme Court itself have an opportunity to be heard upon this subject.

By its sweeping reversal of the Illinois court, the highest court of the United States has now brought this nation into the group of civilized countries which, beginning with England in 1844, have successively enacted laws to protect women from overwork in manufacture.

The Illinois decision retarded this movement by many years in other American states, although the highest court of Massachusetts had sustained the constitutionality of the Massachusetts ten-hours law for women as far back as 1876, and the supreme courts of three states—Nebraska, Washington and Oregon—have in the last decade followed the Massachusetts precedent.

The Federal Supreme Court unanimously holds not only that the working hours of women may be restricted for the protection of health, but that the welfare of the state depends upon such restriction.

This decision is the most sweeping one ever promulgated by the Supreme Court of the United States in relation to working hours. It is not confined to a consideration of the ten-hours day or to a working day of any particular length. It leaves to the states liberty to determine what working hours are wholesome and reasonable. It goes far beyond the statute at issue, which dealt with the employment of women in factories and laundries, and looks towards the protection of women in other employments. The opinion is in advance of the practice of many of the twenty states which have enacted laws curtailing women's working hours. Most of these permit the ten-hours day to be invalidated by exceptions which interfere with enforcement of the law and in many cases render it practically void.

Before judges can pass upon the constitutional question at issue, they must obviously have presented to them testimony throwing light on the intricate medical and social facts which ultimately determine their decision.

The court's "judicial cognizance" of practical facts should act as a valuable stimulus to the study and "general knowledge" concerning them. The meagerness of the available American information on the social and medical effects of occupations was revealed in the course of preparing Mr. Brandeis' brief. Specific medical data upon this subject is almost wholly lacking. Not only the effect of long hours but the whole hygiene of occupations awaits adequate medical investigation.

Since many of our industries and processes differ fundamentally from European ones, it is indispensable to have medical observations and conclusions based on American conditions. In some cases, doubtless, the physical results are identical here and abroad. Statistics of the effects of laundry work, for instance, compiled by two large London infirmaries, and quoted in Mr. Brandeis' brief are no doubt as true of the laundries here as in London, since American laundry machines are widely used in England, and the general conditions of the trade appear to be the same. In other industries, however, the statistics of one country may be valueless for another.

Besides contributing to reprinting the brief in the Oregon case, the Russell Sage Foundation has granted the Publication Committee an appropriation for a more extended investigation into the literature on fatigue in relation to the length of working hours. This appropriation has provided salaries of two or three readers during the past eight months, as well as all clerical assistance. The Chairman of the Publication Committee has directed this reading in the medical and social literature of the United States, England, France, Germany, Austria, Italy and the British colonies. A mass of opinions and statistics has been gathered which will be printed as a compendium for use in future legislation and court cases.

Unusual courtesies have been received at the following libraries: the New York Public Library, the libraries of Columbia University and of the Academy of Medicine in New York City, the Library of Congress and the Library of the Department of Commerce and Labor in Washington. Books and reports have also been imported direct from abroad, and inquiries for additional material have been directed to prominent physicians and economists abroad.

In consequence of the resolution passed at the tenth annual meeting of the Council of the National Consumers' League, held in Providence, March, 1909 (see below), the following letter has been addressed to Dr E. T. Devine, one of the directors of the next meeting of the International Congress of Hygiene and Demography, which will take place for the first time in America in Washington, 1910:

Dr. E. T. Devine, 105 East Twenty-second Street, New York City:

MY DEAR DR. DEVINE:—I send you herewith a resolution of the Council of the National Consumers' League* regarding the approaching meeting of the International Congress of Hygiene and Demography in 1910.

To our mind there is no province of industrial hygiene which is of more importance, or has been more neglected, than the study of fatigue in relation to the length of working hours.

While medical interest in occupational diseases is over a century old, and the literature on the subject is enormous (a partial bibliography filling almost twenty pages in Mr. Hoffman's study of Dusty Trades, Bulletin of the United States Department of Labor, November, 1908), these works contain little mention of what is perhaps the most common and most subtle danger of occupation, overfatigue.

*See pp. 15-16.

In the course of an investigation, which I have carried on during the last eight months, I have found no more valuable contributions to the physiological and psychological study of industrial overstrain than the articles read before the International Congress of Hygiene, Berlin, 1907 (*Ermüdung durch Berufsarbeit*, by Dr. Z. Trèves, of Turin; Dr. E. Roth, Berlin, etc.).

The Congress had previously heard able papers on these problems at its meeting in Budapest, 1894, and in Paris, 1900. At its meeting in Brussels, in 1903, the Congress passed a resolution urging governments to study overfatigue as one of the most fertile sources of ill health. This recommendation was quoted and repeated in hearings before the British Inter-departmental Committee on Physical Degeneration, 1904.

In this connection interest attaches to the formation of the "Commission Internationale Permanente pour l'étude des Maladies Professionnelles," which was organized after the First International Congress on Industrial Diseases, in Milan, 1906, and whose headquarters are in Milan. The constitution of the commission sets forth its object as follows:

Article 3. (a) To collect and study new facts in physiology, pathology or in the social sciences, which may be of value to industrial hygiene.

(e) To draw the attention of the authorities to the results of studies which may be valuable for industrial hygiene, and to recommend to learned societies as subjects of discussion, questions of physiology of clinical interest and of the hygiene of labor.

(f) To make public the efforts of governments, universities, hospitals and private persons, directed towards the teaching and development of industrial hygiene.

The list of members of the Commission Internationale Permanente fails to show a single representative from the United States among men from European countries such as—

Dr. Thomas Legge, H. M. Medical Inspector of Factories, and Dr. Thomas Oliver, England; Prof. L. Devoto, Director of the Clinic for Industrial Diseases at Milan, and Prof. Pieraccini, Italy; Dr. D. Gilbert, Chief Medical Inspector, Belgium; Dr. E. Roth, Germany; Dr. Jean Paul Langlois, France, besides representatives from Holland, Sweden, Russia, Austria, Hungary, Switzerland, Greece, Canada and the Argentine Republic.

The Commission Internationale Permanente publishes a quarterly bulletin containing exhaustive bibliographies of works on the "hygiene, physiology, pathology, and clinical aspects of labor," in current medical and social literature. While many of these works deal with specific diseases of occupation, there is also a new emphasis laid on the problems of overstrain and exhaustion, studied both in the laboratory and in industry.

It is this new correlation of strictly scientific investigation of fatigue and its application to industrial conditions which was so remarkably exemplified at the Berlin meeting of the International Congress of Hygiene, and which has hitherto been lacking in this country.

Could not the first American meeting of the International Congress in

1910 stimulate similar investigation and study here? Interest in increasing efficiency of the workers has already led important industrial establishments to provide supervision of the hygiene of their employees, thus affording one method of observation. Specific questions which suggest themselves among others might be:

A study of fatigue of attention, shown by the incidence of accidents after long working hours, comparable to the study of Prof. Imbert in France and Prof. Pieraccini in Italy.

A study of the specific effect on health and efficiency from reducing hours of work and overtime comparable to the studies of Ernst Abbé and others abroad.

A third line of investigation would be of great interest if the directors of the Congress could devise means of gaining any information on the relation between overstrain and the increase in nervous disorders among working people.

Abroad the records of the sickness insurance societies are bringing this problem into prominence, especially in Germany and Austria. While the statistics of the societies do not appear to be as yet sufficiently standardized to admit of positive proof of the effects of industrial strain in inducing nervous disorders, the rapid increase of such diseases among insured members has provoked grave discussion of the facts and of the need of counter-acting them by reducing hours of labor.

The National Consumers' League recommends study and publication of results in what the Italians aptly term the pathology of labor (*patologia del lavoro*)—for a twofold object: for use in obtaining legislation reducing hours of labor in the various states, and in subsequently defending such legislation in the courts. Judging from the requests for the brief in the Oregon case received this winter from states where legislation for women has been undertaken (New York, Pennsylvania, Illinois, Connecticut, Rhode Island, etc.), there is urgent need of more information on the physiological and social facts upon which protective laws are based.

Such laws offer the most direct and only *enforceable* means of combating industrial overstrain. Education in nutrition, better housing, etc., is doubtless indispensable, but a minimum leisure must first be provided.

Sincerely yours,

JOSEPHINE GOLDMARK,
Chairman.

DECISION OF THE SUPREME COURT OF THE UNITED STATES
IN THE OREGON CASE

CURT MILLER, PLAINTIFF IN ERROR, VS. THE STATE OF OREGON
IN ERROR TO THE SUPREME COURT OF THE STATE OF OREGON

February 24, 1908

Mr. Justice Brewer delivered the opinion of the Court.

On February 19, 1903, the Legislature of the State of Oregon passed an act (Session Laws, 1903, p. 148) the first section of which is in these words:

Sec. 1. That no female (shall) be employed in any mechanical establishment, or factory, or laundry in this state more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any one day."

Section 3 made a violation of the provisions of the prior sections a misdemeanor, subject to a fine of not less than \$10 nor more than \$25. On September 18, 1905, an information was filed in the Circuit Court of the State for the County of Multnomah, charging that the defendant "on the fourth day of September, A. D. 1905, in the County of Multnomah and State of Oregon, then and there being the owner of a laundry, known as the Grand Laundry, in the City of Portland, and the employer of females therein, did then and there unlawfully permit and suffer one Joe Haselbock, he, the said Joe Haselbock, then and there being an overseer, superintendent and agent of said Curt Muller, in the said Grand Laundry, to require a female, to wit, one Mrs. E. Gotcher, to work more than ten hours in said laundry on said fourth day of September, A. D. 1905, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of Oregon."

A trial resulted in a verdict against the defendant, who was sentenced to pay a fine of \$10. The Supreme Court of the State affirmed the conviction (48 Ore. 252), whereupon the case was brought here on writ of error.

The single question is the constitutionality of the statute under which the defendant was convicted so far as it affects the work of a female in a laundry. That it does not conflict with any provisions of the state constitution is settled by the decision of the Supreme Court of the State. The contentions of the defendant, now plaintiff in error, are thus stated in his brief:

"(1) Because the statute attempts to prevent persons, *sui juris*, from making their own contracts, and thus violates the provisions of the Fourteenth Amendment, as follows:

"'No state shall make or enforce any law which shall abridge the privi-

leges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

"(2) Because the statute does not apply equally to all persons similarly situated, and is class legislation.

"(3) The statute is not a valid exercise of the police power. The kinds of work prescribed are not unlawful, nor are they declared to be immoral or dangerous to the public health; nor can such a law be sustained on the ground that it is designed to protect women on account of their sex. There is no necessary or reasonable connection between the limitation prescribed by the act and the public health, safety, or welfare."

It is the law of Oregon that women, whether married or single, have equal contractual and personal rights with men. As said by Chief Justice Wolverton, in *First National Bank vs. Leonard*, 36 Ore. 390, 396, after a review of the various statutes of the state upon the subject:

"We may therefore say with perfect confidence that, with these three sections upon the statute book, the wife can deal, not only with her separate property, acquired from whatever source, in the same manner as her husband can with property belonging to him, but that she may make contracts and incur liabilities, and the same may be enforced against her, the same as if she were a *feme sole*. There is now no residuum of civil disability resting upon her which is not recognized as existing against the husband. The current runs steadily and strongly in the direction of the emancipation of the wife, and the policy, as disclosed by all recent legislation upon the subject in this state, is to place her upon the same footing as if she were a *feme sole*, not only with respect to her separate property, but as it affects her right to make binding contracts; and the most natural corollary to the situation is that the remedies for the enforcement of liabilities incurred are made co-extensive and co-equal with such enlarged conditions."

It thus appears that, putting to one side the elective franchise, in the matter of personal and contractual rights they stand on the same plane as the other sex. Their rights in these respects can no more be infringed than the equal rights of their brothers. We held in *Lochner vs. New York*, 198 U. S., 45, that a law providing that no laborer shall be required or permitted to work in bakeries more than sixty hours in a week or ten hours in a day was not as to men a legitimate exercise of the police power of the state, but an unreasonable, unnecessary, and arbitrary interference with the right and liberty of the individual to contract in relation to his labor, and as such was in conflict with, and void under, the federal constitution. That decision is invoked by plaintiff in error as decisive of the question before us. But this assumes that the difference between the sexes does not justify a different rule respecting a restriction of the hours of labor.

In patent cases counsel are apt to open the argument with a discussion of the state of the art. It may not be amiss, in the present case, before examining the constitutional question, to notice the course of legislation as

well as expressions of opinion from other than judicial sources. In the brief filed by Mr. Louis D. Brandeis, for the defendant in error, is a very copious collection of all these matters, an epitome of which is found in the margin.*

While there have been but few decisions bearing directly upon the question, the following sustain the constitutionality of such legislation. *Commonwealth vs. Hamilton Mfg. Co.*, 125 Mass. 383; *Wenham vs. State*, 65 Neb. 394, 400, 406; *State vs. Buchanan*, 29 Wash. 602; *Commonwealth vs. Beatty*, 15 Pa. Sup. Ct. 5, 17; against them in the case of *Ritchie vs. People*, 155 Ill. 98.

The legislation and opinions referred to in the margin may not be, technically speaking, authorities, and in them is little or no discussion of the constitutional question presented to us for determination, yet they are significant of a widespread belief that woman's physical structure, and the functions she performs in consequence thereof, justify special legislation restricting or qualifying the conditions under which she should be permitted to toil. Constitutional questions, it is true, are not settled by even a consensus of present public opinion, for it is the peculiar value of a written constitution that it places in unchanging form limitations upon legislative action, and thus

*The following legislation of the states impose restriction in some form or another upon the hours of labor that may be required of women: Massachusetts, 1874, Rev. Laws 1902, chap. 106, sec. 24; Rhode Island, 1885, Acts and Resolves 1902, chap. 994, p. 73; Louisiana, 1886, Rev. Laws 1904, vol. i, sec. 4, p. 989; Connecticut, 1887, Gen. Stat. revision 1902, sec. 4691; Maine, 1887, Rev. Stat. 1903, chap. 40 sec. 48; New Hampshire, 1887, Laws 1907, chap. 94, p. 95; Maryland, 1888, Pub. Gen. Laws 1903, art. 100, sec. 1; Virginia, 1890, Code 1904, tit. 51 a, chap. 178 a, sec. 3657 b; Pennsylvania, 1897, Laws 1905, No. 226, p. 352; New York, 1899, Laws 1907, chap. 507, sec. 77, subdiv. 3, p. 1078; Nebraska, 1899, Comp. Stat. 1905, sec. 9955, p. 1986; Washington, Stat. 1901, chap. 68, sec. 1, p. 118; Colorado, Acts 1903, chap. 138, sec. 3, p. 310; New Jersey, 1902, Gen. Stat. 1905, p. 2350, secs. 66 and 67; Oklahoma, 1890, Rev. Stat. 1903, chap. 25, art. 58, sec. 729; North Dakota, 1877, Rev. Code 1905, sec. 9440; South Dakota, 1877, Rev. Code (Penal Code, sec. 764), p. 1185; Wisconsin, 1867, Code 1898, sec. 1728; South Carolina, Acts 1907, No. 233.

In foreign legislation Mr. Brandeis calls attention to these statutes: Great Britain, 1844, Law 1901, I Edw. VII, chap. 22; France, 1848, Act Nov. 2, 1892, and March 30, 1900; Switzerland, Canton of Glarus, 1848, Federal Law 1877 art. 2, sec. 1; Austria, 1855, Acts 1897, art. 96 a, secs. 1 to 3; Holland, 1889, Art. 5, sec. 1; Italy, June 19, 1902, art. 7; Germany, Laws 1891.

Then follow extracts from over ninety reports of committees, bureaus of statistics, commissioners of hygiene, inspectors of factories, both in this country and in Europe, to the effect that long hours of labor are dangerous for women, primarily because of their special physical organization. The matter is discussed in these reports in different aspects, but all agree as to the danger. It would of course take too much space to give these reports in detail. Following them are extracts from similar reports discussing the general benefits of short hours from an economic aspect of the question. In many of these reports individual instances are given tending to support the general conclusion. Perhaps the general scope and character of all these reports may be summed up in what an Inspector for Hanover says: "The reasons for the reduction of the working day to ten hours—(a) the physical organization of women, (b) her maternal functions, (c) the rearing and education of the children, (d) the maintenance of the home—are all so important and so far-reaching that the need for such reduction need hardly be discussed."

gives a permanence and stability to popular government which otherwise would be lacking. At the same time, when a question of fact is debated and debatable, and the extent to which a special constitutional limitation goes is affected by the truth in respect to that fact, a widespread and long continued belief concerning it is worthy of consideration. We take judicial cognizance of all matters of general knowledge.

It is undoubtedly true, as more than once declared by this court, that the general right to contract in relation to one's business is part of the liberty of the individual, protected by the Fourteenth Amendment to the Federal Constitution yet it is equally well settled that this liberty is not absolute and extending to all contracts, and that a state may, without conflicting with the provisions of the Fourteenth Amendment, restrict in many respects the individual's power of contract. Without stopping to discuss at length the extent to which a state may act in this respect, we refer to the following cases in which the question has been considered: *Allgeyer vs. Louisiana*, 165 U. S. 578; *Holden vs. Hardy*, 169 U. S. 366; *Lochner vs. New York*, *supra*.

That woman's physical structure and the performance of maternal functions place her at a disadvantage in the struggle for subsistence is obvious. This is especially true when the burdens of motherhood are upon her. Even when they are not, by abundant testimony of the medical fraternity continuance for a long time on her feet at work, repeating this from day to day, tends to injurious effects upon the body, and as healthy mothers are essential to vigorous offspring, the physical well-being of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race.

Still again, history discloses the fact that woman has always been dependent upon man. He established his control at the outset by superior physical strength, and this control in various forms, with diminishing intensity, has continued to the present. As minors, though not to the same extent, she has been looked upon in the courts as needing especial care that her rights may be preserved. Education was long denied her, and while now the doors of the school room are opened and her opportunities for acquiring knowledge are great, yet even with that and the consequent increase of capacity for business affairs, it is still true that in the struggle for subsistence she is not an equal competitor with her brother. Though limitations upon personal and contractual rights may be removed by legislation, there is that in her disposition and habits of life which will operate against a full assertion of those rights. She will still be where some legislation to protect her seems necessary to secure a real equality of right. Doubtless there are individual exceptions, and there are many respects in which she has an advantage over him; but looking at it from the viewpoint of the effort to maintain an independent position in life, she is not upon an equality. Differentiated by these matters from the other sex, she is properly placed in a class by herself, and legislation designed for her protection may be sustained, even when like legislation is not necessary for men and could

not be sustained. It is impossible to close one's eyes to the fact that she still looks to her brother and depends upon him. Even though all restrictions on political, personal, and contractual rights were taken away, and she stood, as far as statutes are concerned, upon an absolutely equal plane with him, it would still be true that she is so constituted that she will rest upon and look to him for protection; that her physical structure and a proper discharge of her maternal functions—having in view not merely her own health, but the well-being of the race—justify legislation to protect her from the greed as well as the passion of man. The limitations which this statute places upon her contractual powers, upon her right to agree with her employer as to the time she shall labor, are not imposed solely for her benefit, but also largely for the benefit of all. Many words cannot make this plainer. The two sexes differ in structure of body, in the functions to be performed by each, in the amount of physical strength, in the capacity for long-continued labor, particularly when done standing, the influence of vigorous health upon the future well-being of the race, the self-reliance which enables one to assert full rights, and in the capacity to maintain the struggle for subsistence. This difference justifies a difference in legislation and upholds that which is designed to compensate for some of the burdens which rest upon her.

We have not referred in this discussion to the denial of the elective franchise in the State of Oregon, for while that may disclose a lack of political equality in all things with her brother, that is not of itself decisive. The reason runs deeper, and rests in the inherent difference between the two sexes, and in the different functions in life which they perform.

For these reasons, and without questioning in any respect the decision in *Lochner vs. New York*, we are of the opinion that it cannot be adjudged that the act in question is in conflict with the Federal Constitution, so far as it respects the work of a female in a laundry, and the judgment of the Supreme Court of Oregon is affirmed.

True copy.

Test

JAMES H. MCKENNEY,
Clerk, Supreme Court, United States.

THE LECTURE COMMITTEE

By the Chairman, REV. JAMES T. BIXBY

I have sent out thirty letters to men of eminence and influence accompanied with reports.

In these I asked for sympathy in our work, the privilege of entering the names of those addressed in our list of people willing to express before public audiences their approval of our cause and, if in charge of a pulpit, to present to their congregations from time to time the method of social betterment for which our League stands. In response, four gentlemen have sent assurances of sympathy with our cause; but owing to the pressure of other work, cannot give active co-operation. Three have expressed a willingness, under certain conditions, to have their names put on our list of those willing to address the public in our behalf. The names of these are: Prof. John B. Clark, Columbia University; Dr. James H. Canfield, Librarian of Columbia University; Dr. Charles Sprague Smith, Director, People's Institute, New York City.

Dr. Sprague Smith also promises to place on the program of the People's Institute for next year an evening devoted to the work of the National Consumers' League.

Twelve others have given still more unreserved assent to our invitation to serve our cause occasionally by public addresses either in their own churches or when invited to speak elsewhere.

The names are as follows:

Rev. Dr. J. H. Mellish, Holy Trinity Church, Brooklyn, N. Y.
Prof. William Adams Brown, Union Theological Seminary, New York City.
Dr. Walter Radcliffe, the Presbyterian Church, Washington, D. C.
Dr. John Van Schaick, the Church of our Father, Universalist, Washington, D. C.

Rev. Dr. Floyd Tomkins, Holy Trinity, Rabbi Henry Berkowitz, the Jewish Chatauqua Society, Dr. W. B. Jennings, the Presbyterian Church, Rev. Oscar B. Hawes, the Unitarian Society, Dr. Edwin Heyl Delk, the Lutheran Church, Dr. Charles L. Kloss, the Congregational Church,	} Philadelphia and Germantown.
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Dr. S. V. V. Holmes, the Presbyterian Church, Buffalo, N. Y.
Rabbi Israel Aaron, Rabbi of a large Hebrew congregation.

I quote a few expressions of interest and promises of co-operation.

Dr. Howard Mellish says: "I will be glad to co-operate with you in any way I can. The subject is of vast importance and has my cordial sympathy."

Dr. Edwin Huyt Delk, promising active aid, says. "I have always spoken for the important reforms the League champions."

Rabbi Berkowitz, granting permission to enroll his name in our list of lecturers, also promises to present our movement to his congregation from his pulpit.

Dr. Floyd Tomkins states that he has been interested in our cause for many years and promises that if he can do anything to help it forward he certainly will.

Dr. Walter Radcliffe has already spoken to his congregation in approval of our work and will continue to do so.

REPORT OF THE FOOD COMMITTEE

By the Chairman, MISS ALICE LAKEY

March, 1908, to March, 1909

The principal work of the Food Committee has been drafting a standard slaughter-house and meat-inspection bill, to supplement the federal law and provide for the use of any state a law to protect consumers from danger of using meat from animals killed within the state that were diseased or slaughtered in unsanitary slaughter-houses. The federal measure obviously cannot protect consumers from evils existing within a state. The proposed standard bill has been sent by Mr. James B. Reynolds to Washington for final revision.

The committee has issued printed matter, designed to spread the doctrine of not only pure food but clean food. The Chairman assisted Mrs. William Shailer in preparing the leaflet issued by the New York City Consumers' League and the National and New Jersey Consumers' Leagues; translated into Italian and Yiddish for the East Side of New York City and, in Europe, translated into French. It is circulated through domestic science classes and grammar grades of some public schools and in one school of commerce in New York City. The Food Commissioners of Pennsylvania and Wisconsin have reprinted the leaflet in their regular publications. The committee has reprinted (by permission) an article entitled "Pure Food Don'ts or Suggestions to Cannerns." The score card is also to be had for distribution.

The year has been a difficult one for enforcement of the federal pure food law, as concerted effort has been made to defeat its purpose and concede to special interests privileges that meant the final destruction of the integrity of the law. While no one can criticise the scientific men who are the Referee Board, the appointing of the Board was contrary to the spirit of the law. In a letter to the Chairman, dated February 8, 1909, Senator Heyburn states:

"Some people are taking it for granted that the appointment of a Bureau of Standards and Commissions of Chemists, etc., is authorized by law and that their action is binding in the determination of what constitutes a violation of the pure food law. Such is not the case. The law as enacted leaves to the courts to determine what constitutes a violation. These fancy boards have no legal status. The Board of Chemists has none. Dr. Wiley's findings have no binding legal status in the courts. They only constitute evidence of his opinion."

The appropriation to continue the Referee Board was to be voted on February 10th. Following a letter received from Dr. Purington, of Boston, of the Woman's Christian Temperance Union, the Chairman sent on February 9th telegrams to five members of the House of Representatives at Washington, D. C., asking that the House sustain Dr. Wiley and the pure

food law. The appropriation was lost. As it will come up in the Senate, the Chairman sent letters to eighteen Senators in the Agricultural Appropriation Committee or interested in the pure food law. She asks that a resolution be passed by the National Consumers' League and sent as a telegram or letter to the appropriate Senators and to President Taft.

The effort of manufacturers of imitation whiskey to have the ruling of Attorney-General Bonaparte set aside and permission given to call their goods "rectified whiskey" has failed. On Monday, February 22d, a request came that a telegram from the Consumers' League be sent asking President Roosevelt to let stand the decision of Attorney-General Bonaparte as to what constitutes whiskey. The telegram was sent that morning by the Chairman. Mrs. Nathan, in the absence of Mr. Brooks, sent a similar one. At our suggestion Dr. Purington, of the Women's Christian Temperance Union, sent a message from Boston. On February 24th news came that the rectifiers had lost their case and President Roosevelt had sustained Dr. Wiley and the Attorney-General. Nothing is of more importance than keeping Dr. Wiley as Chief of the Bureau of Chemistry. If the country loses him as official head of the pure-food work, the labor of twenty years is wasted.

Mr. Martin, Treasurer of the Food Committee, reports in our treasury \$12, with an unpaid printing bill of \$3.50 for the leaflet "Food Preservatives." The balance will be \$8.50.

Editorial matter was prepared for the *Outlook* of August 8 and January 30, 1908. The Board of Education of New York has added the Chairman's name to the list of lecturers for the Free Public Lecture Course. She gave an address in Washington in March, 1908, at the International Congress of Mothers; another in New Haven under the auspices of the New Haven Consumers' League and the Civic League.

Requests were sent out for reports of work done during the past year. Five answers are at hand. Mrs. Robert McVickar, Chairman of the Food Committee of the New York State Consumers' League, reports speaking at various meetings and awakening public opinion by every means possible. As Chairman of the Food Sanitation Committee of the State Federation of Women's Clubs she has brought forward the work of the joint committees. Mrs. McVickar formed a food committee at Yonkers in the Civic League where "Sanitary Maxims" have been distributed in cooking classes of the public schools. The domestic science section of the Westchester Woman's Club has formed group memberships and joined the local branch of the Consumers' League. They have co-operated with the Board of Health and called to its attention unsanitary conditions where food is sold or prepared for sale, sent out the "Sanitary Maxims," and expect to have them distributed through domestic science classes in public schools.

Mrs. William Shailer, of the New York City League, reports appealing to Health Commissioner Darlington for more rigid inspection of stores and markets and a better enforcement of law relating to exposure of foods on sidewalks and pushcarts. The committee has also complained of decaying fish and poultry sold on Ninth Avenue on Saturday nights. Systematic

investigation of stores in fifteen districts in the city has begun, each member of the committee taking one district. The aim is to induce prosperous shopkeepers to set an example of cleanliness. Mrs. Shailer reports that about fifty thousand copies of "Sanitary Maxims" have been distributed to settlements, mothers' clubs, teachers of cooking, church societies, etc. It was published in the Bulletin of the French Consumers' League and distributed at the International Conference at Geneva in September, 1908. Mrs. Shailer reports five conferences educational in purpose tendered to her committee by the Chairman of the National Food Committee. Dr. Darlington has spoken at one, as has Dr. Ira Wiley and Mr. Wilbur Phillips, Secretary of the New York City Milk Committee. These conferences have been held at Miss Bang's School, Mrs. Finch's School and Barnard College.

Mrs. J. W. Cory, of the Iowa Federation of Women's Clubs, reports fifty copies of the "Maxims" distributed, also "Suggestions to Canners," and the score card.

Mrs. B. C. Gudden, President of the Wisconsin Consumers' League, has agitated to have John Spargo's book on milk given to milkmen as "compulsory education," has written articles on sanitary maxims and score cards, for the *Courant* and other papers, and sent out copies to the branches of the Consumers' Leagues of Wisconsin. Mrs. Gudden has spoken on the work of the Food Committee and sent petitions to Congress for amendments to the food law.

Miss Lilla Breed, of the Federation of Women's Clubs of Kentucky, writes that score cards are what she has wanted as a foundation for needed work in that state. She will send copies to the Chairman of the Food Sanitation Committee of the General Federation. Since the passage of the pure food law everything waits upon the establishment of food standards. The committee are, however, hoping to bring about better sanitary conditions in markets in the state by a campaign of education through the newspapers.

Miss K. L. Trevett, Secretary of the Oregon Consumers' League, asked for copies of "Pure Food Don'ts." One hundred copies were sent. While the Chairman of the Food Committee in that state does not see her way to forming a committee, it may come later. The Chairman will use the score card. The Oregon Consumers' League has issued an excellent leaflet giving the state food law in a concise form.

Miss Welles, Secretary of the Connecticut League, has been instrumental in having a bulletin issued on "Food Labels Under the Connecticut Food Law and Some Household Tests for Adulterants in Foods," prepared by Dr. Jenkins, Director of the Connecticut Experiment Station. It is the first time that such a publication has been issued by a State Department for a food committee. The bulletins are sent out by the food committee. Miss Beach has taken the chairmanship of the New Haven committee, and their January meeting was largely attended.

The New Jersey Food Committee is awaiting the arrival of the standard slaughter-house and meat-inspection bill to secure its presentation before the Legislature adjourns. Agitation for improvement of the supply of milk has been carried on. In two towns new milk ordinances were adopted and the

adoption of licenses for all milkmen is the direct result of the committee's work. The committee has been increased by about twenty delegates of women's clubs. "Sanitary Maxims" has been given to the pupils in grammar grades of the Cranford public schools. The expense of printing the leaflet was met by Senator Colby. The score card has been approved by the New Jersey State Board of Health.

The Chairman suggests that the National Consumers' League make a study, on lines similar to those employed in examining garment factories, of material used and sanitary conditions existing in factories that are clamoring to use preservatives.

March, 1907, to March, 1908

The work of the committee has been of many kinds. In May, 1907, the People's Lobby at Washington, D. C., asked that the Consumers' Leagues send letters to President Roosevelt endorsing the decision of Attorney-General Bonaparte on labeling whiskies, and urging that the decision be upheld. This bore directly on the pure food law.

On March 10th, by request of Dr. Mitchell, Secretary of the New Jersey State Board of Health, the Chairman attended a hearing of the Senate Committee at Trenton and spoke in favor of the pending food bill. Later a bill was presented, at the request of the Chairman, by Senator Frelinghuysen, providing for inspection of slaughter houses in New Jersey. This has since been amended to include an inspection of meats.

The pure-food bill passed in New Jersey in April, 1907.

By request of the Secretary of the New Jersey State Board of Health the Chairman, accompanied by a state food inspector, visited several dairies and a slaughter house at Secaucus, back of Jersey City. With two exceptions the dairies were in a filthy condition; the slaughter house was reported at Washington, as it was doing an interstate trade. This expedition revealed that the fattening of old worn-out cows is a regular business in that section. The cows are kept tied up in low, dark, dirty sheds and fed on garbage from New York hotels. This garbage is cooked in great vats and the smell of rancid grease adds horror to the scene. One cow was lying dead in a yard. "She died from lung trouble this morning; she was all right last night," said the woman who came to meet us.

Roughly speaking, there are ten thousand dairies in New Jersey; nearly all the cows find their way finally to a slaughter house. Is it any wonder that tuberculosis is not exterminated when milk and meat come from cows kept shut up in dark, dirty stables?

The great abattoir at Jersey City, with all improvements installed since the national meat inspection law was passed, illustrates the benefits of federal inspection. Following the visit of the Chairman, a courteous letter was received from the manager of the Jersey City abattoir, asking for criticisms and suggestions.

In New York State a man was found who made a business of buying diseased cattle, killing them, removing the diseased parts and shipping the meat into New York City.

Mr. James B. Reynolds and Dr. John Huber have drafted a meat and slaughter-house inspection law, which the committee hopes to see adopted in every state not already provided with a similar law. Pennsylvania recently adopted a law similar in purpose; Massachusetts is considering one; Indiana and Michigan have such laws.

Upon invitation of the Association of State and National Food and Dairy Departments the Food Committee voted to send the Chairman as a delegate to the eleventh annual convention of the Association, at the Jamestown Exposition in July, 1907. The Chairman gave an address on the "Work of the National Consumers' League for Uniform Food Laws." Special reference was made in the program to the Consumers' League. The Chairman pledged the Food Committee to the support of a resolution on food standards, which has been sent out to all the Consumers' Leagues, asking them to act upon it.

By request of the Chicago *Record-Herald* the Chairman wrote an article on the work of the Food Committee. She also prepared one for the *Outlook*, December 3, 1907, on "The Pure Food Law." Attention is called to an appreciative article on work by the Food Committee in the bulletin of the Pennsylvania Department of Agriculture, December, 1907.

The Chairman spoke at the annual meetings in February, 1908, of the New Jersey and New York State Consumers' Leagues, and has been invited to speak in Washington, March 13, 1908, at the International Congress of Mothers.

In January, 1908, the committee was requested to read the new food law drafted for Kentucky. Mr. R. M. Allen, Chief of the Food Division of the Kentucky Experiment Station, suggested that letters endorsing the bill be sent to the Public Health Committee of the Kentucky Legislature. This was done. The bill was passed with only two dissenting votes. It is the Chairman's opinion that this Kentucky food law is the nearest approach to a model food law.

Reports from committees of the Consumers' League working for pure food are encouraging. Mrs. B. C. Gudden, President of the Wisconsin Consumers' League, will see what can be done about forming a state Food Committee. Attention throughout the state has been directed to the evils of local slaughter houses. One milk dealer has been reformed and is now clean.

Mrs. Robert McVickar, President of the New York State Consumers' League, has appointed a committee from various cities and towns. They have distributed literature. Mrs. McVickar has secured the co-operation of the New York State Federation of Women's Clubs through its pure food Chairman. A meeting of the joint committee was held at Troy during the convention of the State Federation of Women's Clubs. Mrs. McVickar presented to the convention the work of the national and state food committees. Dr. Mary T. Bissell, Field Secretary of the New York State Consumers' League, read a paper on clean milk at various meetings of the women's institutes of farmers' associations.

Mrs. R. G. Waters, of the Food Committee in California of the Con-

sumers' League, reports that the question of weights and measures is constantly agitated in Los Angeles. The City Sealer of Weights and Measures has secured evidence that customers are defrauded through short measure of milk. He condemned one carload as it did not hold the milk it was labeled to hold. A five-gallon can of milk was two quarts short; bottles, too, are short measure. The California state food law was passed shortly after the national law. Since then consumers have demanded that the label tell the truth. They have an efficient health officer, diligent in investigating. They use the newspapers to give publicity to abuses. "The law is well enforced here; the only thing to do seems to be to encourage the appointment of non-political inspectors."

Mrs. M. C. Hart, Guthrie, Okla., reports the sending out of literature. Mrs. A. G. Wright, Wisconsin, reports the same; also Mrs. Paul Doty, representing the Woman's Clubs of Minnesota for the Food Committee of the National Consumers' League.

Many women report sending the resolutions asked for from their organizations to Secretary Wilson, urging enforcement of food standards adopted or that may be adopted by the joint committees on standards of the Association of State and National Food and Dairy Commissioners and the Association of Official Agricultural Chemists. Among these are Mrs. W. H. Hood, of Reno, Nev., and Mrs. A. Herbert Arnold, of the Rhode Island State Federation. Mrs. A. B. Noyes, President of the Vermont State Consumers' League, sent out a letter to President Roosevelt as to the decision of Attorney-General Bonaparte. The state food law is working well; many things are improved, notably oysters, maple syrup and honey.

Mrs. J. W. Cory, Chairman of the committee of the Iowa State Federation of Women's Clubs, reports that Iowa women are being urged to buy labeled goods, to study bulletins issued by the Food Commissioner, and to study food prices and values. The thirteen thousand Iowa club women have been, since 1905, deeply interested in the passage and enforcement of state and national food laws. Their representatives in Congress have been urged to advocate national food standards and sufficient appropriation to enforce federal food laws. They are now at work for clean milk and clean markets. She states that your Chairman's *Outlook* article on the "Pure Food Law" has been placed in her circulating library, which is in demand among more than three hundred and thirty-four clubs.

Miss Lilla N. Breed, Corresponding Secretary of the Kentucky Consumers' League, reports hard work done for the passage of the Kentucky food law. They are also interested in securing legislation for inspection of cattle and testing dairy herds for tuberculosis. Miss Breed sent a circular letter issued by her committee, containing suggestions for practical programs. Under the titles "Bread," "Milk," "Meats," "Labels," is a list of subjects practically covering the history of manufacture or production, storage and sale of these food products, with suggestions for study of labels on food packages.

Connecticut is to have a state Food Committee; Miss Rebecca H. Beach is the new Chairman.

Mrs. William Shailer has taken charge of the Food Committee of the New York City Consumers' League. She has six active workers.

They are to hold a public meeting on March 18, 1908, in Dr. Parkhurst's church.

A Food Committee was formed in Cranford, N. J., in 1907, to arrange a food convention. Over \$200.00 was needed to defray expenses. This was raised in Cranford. The convention was held on the afternoon and evening of December 3d, in the Presbyterian church. A large audience was present, including over sixty delegates from state boards of health of New Jersey and New York, local boards of health, civic societies, and a representative from the Department of Agriculture of Pennsylvania. Dinner was served to the delegates by the women of Cranford.

The national and state food officials who addressd the convention were:

R. M. Allen, Chief of Food Division, Experiment Station, Kentucky; Dr. W. D. Bigelow, Chief of Division of Foods, Bureau of Chemistry, Washington, D. C.; Dr. William Frear, State Chemist Pennsylvania Department of Agriculture; Dr. George Goler, Health Officer, Rochester, N. Y.; Prof. Edward Voorhees, Director New Jersey Agricultural Experiment Station; Dr. J. R. Mohler, Bureau of Animal Industry, Washington, D. C. Dr. Charles Harrington, Secretary, Massachusetts State Board of Health, prepared a paper for the convention, which was read. Addresses were given by Senator J. S. Frelinghuysen, Dr. Henry L. Colt, President American Association of Medical Milk Commissions, and Dr. Louis L. Seaman, late Major-Surgeon U. S. V.

Consumers' Leagues were represented by Mrs. Cushing, President, New Jersey League; Mrs. Frederick Nathan, Vice-President National, and President New York City League; Mrs. Florence Kelley, Secretary National Consumers' League.

In several addresses the relation of bovine to human tuberculosis was clearly demonstrated.

The convention adopted resolutions on milk, slaughter-house inspection, bleached flour, etc., and voted to form a New Jersey State Food Committee. Your Chairman was elected its Chairman. She would express thanks of the committee to national and state and city food officials who traveled long distances to help the pure food cause in New Jersey. Letters and telegrams wishing success were read, including those from Senators Heyburn and McCumber. Dr. Harvey Wiley wrote: "The work of the convention was along the right lines, and I am sure will have a favorable effect upon the people, not only of your own state but on the country at large."

At the suggestion of Dr. Henry L. Colt, President of the American Medical Milk Commission, an executive council has been formed. Fifteen leading physicians in the state have consented to serve on this council. The plan is to organize a branch committee in every town. Cranford, Orange and Somerville already have chairmen appointed. This committee will work for a medical milk commission in every county, slaughter-house and meat inspection, good sanitary conditions where food is manufactured, stored or sold, and other needed improvements. The National Food Com-

mittee has adopted a sanitary score card, for the scoring of grocery stores, bakeries, etc., suggested by Dr. Crumbine, President of the Board of Health of Kansas, which has such a card.

As the Consumers' League uses a white list in mercantile establishments, why not a similar list for food establishments whose record for cleanliness is noteworthy? An effort will be made to have the scoring system adopted wherever there is a branch Food Committee.

The National Food Committee wishes to see an active Food Committee in every state, with branches in the cities and towns throughout each state. It is, after all, the consumer who controls all these conditions. Shall we exercise our privileges?

THE CONSUMERS' HEALTH BILL

A BILL FOR A LAW TO PROTECT THE PUBLIC HEALTH, BEING CHAPTER, ETC.

Section 1. In any city of the first class within this state it shall be the duty of the owner of goods, materials and merchandise to protect, as hereinafter set forth, said goods, materials and merchandise from exposure to vermin and to germs of tuberculosis, syphilis, scarlet fever, smallpox, chicken-pox, leprosy, ophthalmia, scabies, ringworm, typhoid fever and all other contagious and infectious diseases whereby said goods, materials and merchandise may subsequently become vehicles for conveying said germs among the public.

Sec. 2. In any city of the first class within this state every person, firm or corporation engaged in the manufacture of any goods, materials or merchandise shall provide wholesome workrooms and storage accommodations free from vermin and infection or contagion for all said goods, materials and merchandise in all stages and processes of manufacture, storage and preparation for sale.

Sec. 3. Whenever any person, firm or corporation or agent or manager of any corporation shall, for the purpose of completing in whole or in part any process of manufacture of any goods, materials or merchandise, take, send or permit to be taken or kept or conveyed such goods, materials or merchandise away from the principal place of business of such person, firm or corporation, or from any factory, workshop, store or place of storage, controlled in whole or in part by such person, firm or corporation, said person, firm or corporation, agent or manager of said corporation shall for the purposes of this act continue to be responsible for the healthful surroundings of said goods, materials and merchandise and for the exposure thereof to the presence of vermin and of the germs of any contagious or infectious disease exactly as if said goods, materials or merchandise had remained in said principal place of business.

Sec. 4. Whenever any goods, materials or merchandise shall be in the custody of any contractor, not the person, firm or corporation owning said goods, such contractor shall, for the purposes of this act, be deemed to be the agent of such owners.

Sec. 5. For the purpose of identification all goods, materials, or merchandise sent, taken or permitted to be conveyed away from the principal place of business of the owner of such goods, materials or merchandise, for the purpose of manufacture in whole or in part, shall first be marked by the owner with the correct full name and address of the owner printed in the English language and easily legible. In case any article is so small or otherwise of such nature that it cannot be marked as hereinbefore prescribed, such article shall be conveyed in a suitable receptacle large enough to carry

such marking, and such receptacle, so marked, shall be kept in the workroom and shall be produced and shown upon demand made by any inspector of the Board of Health, or any inspector of the State Department of Labor, and the presence of such mark shall be *prima facie* evidence of the ownership of said goods, materials or merchandise by the person, firm or corporation named on such receptacle.

Sec. 6. Any goods, materials or merchandise found in violation of the provisions of this act by any inspector of the Board of Health, or of the State Department of Labor, in any place other than the principal place of business of said owner, shall be seized by the Board of Health and fumigated or otherwise cleansed and held until such owner shall claim such goods, materials or merchandise and shall pay such reasonable fee as may be prescribed for such service by the Board of Health.

Sec. 7. Every workroom and every place used for storage to which such goods, materials, or merchandise are taken, sent or permitted to be conveyed, or in which they may be kept, away from the principal place of business of such owner, shall be subject to the same requirements as to inspection, cubic air space, light, cleanliness, ventilation and sanitation as are now prescribed by law for factories and tenant factories, and in no case shall any such workroom or place used for storage be used for sleeping by day or by night by any person, nor shall any such workroom contain any bed, sofa, couch, mattress, pillow or other furnishing adapted to the use of persons in sleeping.

Sec. 8. The word manufacture wherever used in this act shall be taken to mean any process of making, altering, repairing, sewing, sorting, drying, picking, packing, storing, dyeing or cleaning in whole or in part any article whatsoever, not for the immediate personal use of the owner, or his family.

Sec. 9. The word workroom wherever used in this act shall be taken to mean any room in which goods, materials or merchandise shall be subjected in whole or in part to any process of making, altering, repairing, sewing, sorting, drying, picking, packing, storing, dyeing or cleaning whatsoever, not for the immediate personal use of the owner, or his family.

Sec. 10. Nothing herein contained shall be construed to cancel or abridge any power or duty now pertaining to the state inspectors of factories.

All acts or parts of acts which conflict with this act are hereby repealed (specific sections to be inserted later).

Sec. 11. *Penalty.* Every person, firm or corporation, agent, manager or contractor for a corporation who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and shall for each violation pay a fine of not less than \$50 or stand committed, each day to constitute a separate violation.

Sec. 12. It shall be the duty of the Department of Health to enforce the provisions of this act.

TREASURER'S REPORT

REPORT OF CASH RECEIPTS AND DISBURSEMENTS

From January 1 to December 31, 1907

RECEIPTS

New York—

Joint appeal of the New York City and National League	\$1,203 10	
Contributions	1,675 00	
Quota	131 50	
		\$3,009 60

Massachusetts—

Contribution for 1907	\$825 20	
Contribution for 1908	50 00	
Special contribution	25 00	
Quota	174 80	
		1,075 00

Pennsylvania—

Contribution for 1907	\$550 00	
Contribution for 1908	150 00	
Quota	80 00	
		780 00

Ohio—

Contribution	\$325 00	
Quota	63 60	
		388 60

New Jersey—

Contributions	\$75 00	
Quota	59 30	
		134 30

Maryland—

Contributions	\$25 00	
Quota	50 00	
		75 00

Wellesley College—

Contributions	\$50 00	
Quota	10 00	
		60 00

Wisconsin—

Contributions	\$20 00	
Quota	30 00	
		50 00

Michigan—

Quota		35 00
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<i>Rhode Island—</i>	
Contributions	\$15 00
Quota	14 00
	<hr/>
	\$29 00
<i>Oregon—</i>	
Quota	26 50
<i>Connecticut—</i>	
Contributions	25 00
<i>Kentucky—</i>	
Quota (1907 and 1908)	18 20
<i>Illinois—</i>	
Quota	10 60
<i>Delaware—</i>	
Contributions	10 00
<i>Maine—</i>	
Quota	10 00
<i>University of Wisconsin—</i>	
Quota	8 60
Sundry receipts for printed matter, etc.....	62 98
	<hr/>
Total receipts during period.....	\$5,808 38
Cash on hand January 1, 1907.....	163 08
	<hr/>
	\$5,971 46

DISBURSEMENTS.

Salaries	\$3,858 12
Traveling expenses	110 10
Rent	336 00
Printing and stationery	882 88
Postage	208 20
Telephone	61 04
Joint appeal of the New York City and National Leagues.....	201 44
Press clippings	21 09
Photographs	12 86
Sundry small payments and office expenses.....	251 11
	<hr/>
Total disbursements during period.....	\$5,942 84
Balance, cash on hand, December 31, 1907.....	28 62
	<hr/>
	\$5,971 46

HERBERT L. SATTERLEE, *Treasurer.*

We certify that the above is a correct statement of receipts and disbursements, from January 1 to December 31, 1907.

THE AUDIT COMPANY OF NEW YORK.

REPORT OF CASH RECEIPTS AND DISBURSEMENTS

From January 1 to December 31, 1908

RECEIPTS

<i>New York—</i>		
Special appeal	\$1,860 00	
Contributions	1,776 00	
Quota	148 49	
	<hr/>	\$3,784 49
<i>Massachusetts—</i>		
Contributions	\$807 90	
Quota	142 10	
	<hr/>	950 00
<i>Pennsylvania—</i>		
Contributions	\$600 00	
Quota	80 00	
	<hr/>	680 00
<i>Maryland—</i>		
Contributions	\$135 00	
Quota	26 40	
Loan	350 00	
	<hr/>	511 40
<i>Ohio—</i>		
Contributions	\$250 00	
Quota	67 90	
	<hr/>	317 90
<i>New Jersey—</i>		
Contributions		105 00
<i>Wellesley College—</i>		
Contributions	\$40 00	
Quota	58 80	
	<hr/>	98 80
<i>Connecticut—</i>		
Contributions	\$42 00	
Quota	48 60	
	<hr/>	90 60
<i>Wisconsin—</i>		
Quota		40 00
<i>Delaware—</i>		
Contribution	\$10 00	
Quota	20 50	
	<hr/>	30 50
<i>Rhode Island—</i>		
Contributions	\$15 00	
Quota	14 00	
	<hr/>	29 00

<i>Vassar College—</i>	
Quota	\$25 10
<i>Oregon—</i>	
Contribution	25 00
<i>Illinois—</i>	
Quota	10 40
Individual memberships	32 00
Rent	60 00
Sundry receipts for printed matter, etc.....	38 71
<hr/>	
Total receipts for year 1908	\$6,828 90
Cash on hand, January 1, 1909	28 62
<hr/>	
	\$6,857 52

DISBURSEMENTS

Salaries	\$4,259 82
Printing and stationery	721 36
Postage	226 71
Rent	686 75
Telephone	42 72
Sundry small payments and office expenses	171 89
Expenses of Congestion Exhibit	33 50
Traveling expenses	78 80
Payments on account of loan	100 00
Special appeal	482 22
<hr/>	
Total disbursements for year 1908.....	\$6,803 77
Balance, cash on hand, December 31, 1908.....	53 75
<hr/>	
	\$6,857 52

G. HERMANN KINNICUTT,
Treasurer.

We certify that the above is a correct statement of receipts and disbursements, from January 1 to December 31, 1908.

THE AUDIT COMPANY OF NEW YORK.

DIRECTORY OF CONSUMERS' LEAGUES

THE CONSUMERS' LEAGUE OF CONNECTICUT.

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- | | |
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Race Improvement in the United States

THE ANNALS

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CONTENTS

PART I

HEREDITY AND ENVIRONMENT IN RACE IMPROVEMENT

	PAGE
INFLUENCE OF HEREDITY AND ENVIRONMENT UPON RACE IMPROVEMENT	3
Carl Kelsey, Ph.D., Professor of Sociology, University of Penn- sylvania.	
THE SIGNIFICANCE OF A SOUND PHYSIQUE	9
Dudley Allen Sargent, M.D., Director, Hemenway Gymnasium, Harvard University.	
INFLUENCE OF HEREDITY ON HUMAN SOCIETY	16
Charles B. Davenport, Director, Station for Experimental Evo- lution (Carnegie Institution), Cold Spring Harbor, N. Y.	
RACE IMPROVEMENT BY CONTROL OF DEFECTIVES (NEGA- TIVE EUGENICS)	22
Alexander Johnson, General Secretary, National Conference of Charities and Correction, Fort Wayne, Ind.	

PART II

INFLUENCE OF CITY ENVIRONMENT ON NATIONAL LIFE AND VIGOR

POPULAR RECREATION AND PUBLIC MORALITY	33
Luther H. Gulick, M.D., Chairman, Playground Extension Committee, Russell Sage Foundation, New York City.	
EVIDENCES OF RACE DEGENERATION IN THE UNITED STATES	43
Woods Hutchinson, A.M., M.D., New York City.	
ESTABLISHMENT OF A NATIONAL CHILDREN'S BUREAU....	48
Hon. Herbert Parsons, Member of Congress from New York.	
CITY DETERIORATION AND THE NEED OF CITY SURVEY.....	54
Professor Patrick Geddes, University College, Dundee, Scotland.	

PART III

OBSTACLES TO RACE PROGRESS IN THE UNITED STATES THE SIGNIFICANCE OF THE DECREASING PROPORTION OF CHILDREN	71
W. S. Rossiter, Chief Clerk of the United States Census.	

ALCOHOLISM AS A CAUSE OF INSANITY	PAGE 81
Charles L. Dana, M.D., LL.D., New York City, Professor of Nervous Diseases, Cornell Medical College.	
THE IMPORTANCE OF THE ENFORCEMENT OF LAW.....	85
Champe S. Andrews, Esq., New York City.	
THE INVASION OF FAMILY LIFE BY INDUSTRY	90
Mrs. Florence Kelley, Secretary, National Consumers' League, New York City.	
THE INSTABILITY OF THE FAMILY	97
J. P. Lichtenberger, Ph.D., Bureau of Social Research, New York City.	
THE MORAL INFLUENCE OF WOMEN IN AMERICAN SOCIETY	106
Ethelbert Dudley Warfield, LL.D., President, Lafayette Col- lege, Easton, Pa.	

PART IV

**THE RELATION OF IMMIGRATION TO RACE
IMPROVEMENT**

IMMIGRANTS AND CRIME.....	117
Hon. William S. Bennet, Member of Congress for New York, and Member of the Immigration Commission.	
IMMIGRATION AND THE AMERICAN LABORING CLASSES.....	125
John Mitchell, Chairman, Trade Agreement Department, National Civic Federation, New York.	
RACE PROGRESS AND IMMIGRATION	130
William Z. Ripley, Professor of Economics, Harvard Uni- versity.	

PART V

**CLINICAL STUDY AND TREATMENT OF NORMAL AND
ABNORMAL DEVELOPMENT**

PSYCHOLOGICAL CLINIC WITH PRESENTATION OF CASES..	141
Dr. Lightner Witmer, Professor of Psychology, University of Pennsylvania.	
REPORT OF (THIRTEENTH) ANNUAL MEETING COMMITTEE..	163
BOOK DEPARTMENT	173

BOOK DEPARTMENT

CONDUCTED BY FRANK D. WATSON

Notes, pp. 173-195.

REVIEWS

- ALLEN—*Civics and Health* (p. 195)C. Kelsey
 ANGIER—*The Far East Revisited* (p. 195); MILLARD—*America and the Far Eastern Question* (p. 195)C. L. Jones
 BADDELEY—*The Russian Conquest of the Caucasus* (p. 197) ..S. N. Harper
 BEAULIEU—*Collectivism* (p. 198)H. R. Mussey
 BRÜCKNER—*A Literary History of Russia* (p. 199)S. N. Harper
 CHANCELLOR—*Our City Schools, Their Direction and Management* (p. 200)J. S. Hiatt
 CONYNGTON—*A Manual of Corporate Management* (3d ed.) (p. 201)J. J. Sullivan
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 SHAW—*The Precinct of Religion in the Culture of Humanity* (p. 215)Mary Lloyd
 STEINER—*Tolstoy, the Man and His Message* (p. 216)S. Nearing
 TAYLOR—*The Science of Jurisprudence* (p. 216)C. L. Jones
 WALLAS—*Human Nature in Politics* (p. 218)W. E. Hotchkiss
 WESTERMARCK—*The Origin and Development of the Moral Ideas* (Vol. II) (p. 219)C. Kelsey

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PART ONE

*Heredity and Environment in Race
Improvement*

INFLUENCE OF HEREDITY AND ENVIRONMENT UPON RACE
IMPROVEMENT

BY **CARL KELSEY, Ph.D.,**

PROFESSOR OF SOCIOLOGY, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA

THE SIGNIFICANCE OF A SOUND PHYSIQUE

BY **DUDLEY ALLEN SARGENT, M.D.,**

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INFLUENCE OF HEREDITY ON HUMAN SOCIETY

BY **CHARLES B. DAVENPORT,**

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RACE IMPROVEMENT BY CONTROL OF DEFECTIVES (NEGA-
TIVE EUGENICS)

BY **ALEXANDER JOHNSON,**

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INFLUENCE OF HEREDITY AND ENVIRONMENT UPON RACE IMPROVEMENT

AN INTRODUCTORY PAPER UPON THE SIGNIFICANCE OF THE PROBLEM

BY CARL KELSEY, PH.D.,
Professor of Sociology, University of Pennsylvania, Philadelphia.

It is the purpose of this paper to give a bird's-eye view of the fields which are to be studied in detail in the other papers. As far as possible it must correlate these various studies and show the common aim. To do this without, to some extent, trespassing on others' territory is impossible. For such overlapping the indulgence of the readers and the writers is asked. It should also be remembered that in seeking to draw a large sketch the detailed evidence is necessarily omitted. Though many seemingly dogmatic statements are made, I believe they could be supported by an abundance of facts if space permitted.

One of the most eminent of living biologists has recently written:¹ "It is well known that the sociological inquiries of Malthus as to human population influenced Darwin, Wallace and Spencer, and that the concept of natural selection in the struggle for existence came to biology from above rather than from within its own sphere. The same is true of the fruitful idea of division of labor, of the general idea of evolution itself and of others—they came to biology from the human social realm."

"To keep to the concept of selection for a moment: it was applied to plants and animals, it was illustrated, justified, if not demonstrated, and formulated; and now, with the imprimatur of biology it comes back to sociology as a great law of life. That it is so we take for granted, but it is surely evident that in social affairs, from which it emanated as a suggestion to biology, it must be reverified and precisely tested. Its biological form may be one thing, its sociological form may be another."

I have given this quotation for several reasons. It shows us clearly that the subjects under discussion in this volume are in

¹Thompson, "Heredity," p. 511.

part biological, in part sociological. These fields have much in common, are often interdependent, yet are separate. Many analogies exist, but laws in one are not *ipso facto* to be considered laws in the other. Clear thinking then demands that the two fields shall be sharply defined. Social theory gave a great impulse to biological research. Biology now places at the disposal of social workers a mass of knowledge as yet little appreciated which is, however, destined to revolutionize social programs.

A discussion of "the comparative importance of heredity and environment" is likely to be very misleading. The problem is not to determine which is more important, but to discover the contribution each makes to the body politic. I know of no way of comparing the relative importance to a given man of heredity and environment any more than I know how to determine whether the stomach or the brain, whether food or air, is more important. Essentials cannot be compared. They can only be discovered and the functions of each studied. It can easily be shown that evils arising from bad heredity are not affected by changing the environment and *vice versa*. A feeble-minded person remains feeble minded whether he vegetates in an almshouse or is cared for at Elwyn—nor does any change affect his children. The children of athletes are not different from those of scholars provided the stock be the same; nor are those descended from church members or heretics, saints or sinners, the stock again being the same, and this is true, popular opinion to the contrary notwithstanding.

At the outset clear thinking is difficult because of the different, often conflicting, meanings given to words. When a college senior defines animism as belief in the Father and Son, but not in the Holy Ghost, we smile. Our feeling is a bit changed when the head of an institution for children on being asked if he favored the indenture system, replied, no, that he preferred manual training. But what progress can be made when even physicians confuse congenital with inherited characters and do not see that the transmission of a disease like syphilis from parent to child does not mean that the child inherited the disease?

In my judgment, we should limit the term inheritance to those physical characters which are determined, we know not how, in the germ cells. These germ cells unite and growth begins. All modifications, whether caused by some poison, say alcohol; by

disease, say syphilis; by accident, by over or under nutrition, are technically known as *acquired characters*. Congenital, then, refers merely to the fact that certain characters exist at birth—it tells nothing as to their origin. Contrary, again, to popular judgment, biologists now almost unanimously believe that such acquired characters or modifications have no effects on germ cells later produced by the individual, and therefore produce no change in the next generation. Be it remembered that “acquired characters” do not refer to any of the features which may have come to the human race through inborn variations. Our language is at fault. When we say human race has *acquired* given characteristics we refer to *inborn* not to “acquired characters.” Failure to make the distinction is a fruitful source of error for those not trained in biology. Space prohibits the discussion of this most important point. It must suffice to say that, while no one knows what causes the offspring to vary from the parents, we now know that certain things formerly held all-important are of no effect.

At this very point a new difficulty arises. Heredity is often used in the sense of social heredity. We say a child inherits the customs, ideals, learning—the whole culture of the parent group. A little reflection makes clear that these are social inheritances, not physical—quite as important, but different. Nothing is more obvious than that the children of certain groups are better housed, better fed, better trained and educated than those of other groups. That, on the whole, these are to be leaders is evident. So quick are we to jump at conclusions, however, that the world-wide assumption has been that these children have a better line of physical descent. Is this a self-evident fact? May not their superiority be due to their environment, not to their heredity? Investigation, not argument, must furnish the answer.

The question to be considered in this connection is whether the marriages of human beings have been consummated on physical or social grounds. If the evidence shows that social, political, financial considerations have determined the bulk of the matings, then there is little reason to believe that better strains have been created and perpetuated. That they could be no biologist doubts, but social customs prevent. Bagehot somewhere says: “Man, unlike the lower animals, has had to be his own domesticator.” Man has found it worth while not merely to tame, but also to carefully

breed the domestic animals. Unfortunately, it would seem, the suggestion that he might improve his own stock has received little consideration. The term "Eugenics" is hardly understood in America, though better known in England. Here is a vast field for study. I can only suggest that it is doubtful if it can be shown that during all historic time the human race has made any material change via the road of heredity.

Race is another hobgoblin. We all know what a race is, yet no one can tell where one race stops and another begins, physically—that is, legally we often accomplish the impossible. What are race differences, physical or social? What are the effects of race crossings? These are tremendously important questions for us to-day. In many states certain inter-race marriages are prohibited by law. Why? Because of physical or social results? There may be important physical differences between the races. I know not. I only venture to state that no one has yet shown what they are. If this be so, then popular discussion should yield to scientific inquiry.

Race differences aside, the problem of maintaining a sound physical stock confronts us. For a century we have boasted, vain-gloriously, of our wonderful progress, of our physical as well as mental superiority. Suddenly we find our faith challenged. Anglo-Saxon in civilization we may remain, but not in stock. Our ancestors first "fell on their knees and then on the aborigines," and prevailed because of their superiority. Now their descendants claim that the inferior peoples of Europe are destroying them. How can such a paradox be explained? Can it be that the virtues of the old stock were due to the development caused by the outdoor frontier life? It must not be forgotten that the earlier immigrants found their opportunities in the open, while those coming to-day find theirs in the crowded industrial centers. The significance of this is more apparent when we reflect that every study shows that great groups of our people are living and working under improper conditions. In our haste we say that they come here from stocks of low vitality, but is it not possible that the trouble lies in our own social institutions? When it is found that the backward children in our schools are physically sub-normal better methods of instruction alone will not suffice. The serious problems of immigration are then apparently due to social differences rather than to inherited physical differences.

So far we have considered the problem from the side of heredity. Recognizing that there are many unsolved questions, it would seem clear that our first duty is the elimination of the unfit, that they may not become parents. Next comes the attempt to improve the race stock by paying some attention to biological factors underlying matrimony. Personally, I believe we are safe in assuming that the great majority of children in America are born normal and with average possibilities.

Normal growth requires more than mere adaptation to environment. Social progress in large measure consists in controlling the environment in ever-increasing measure. Contagious diseases no longer rank among the properties of the germ cells nor do we charge them to divine Providence. Knowing them, now, to be of bacterial origin, we attack them and conquer them one by one. But progress starts reaction against itself. There are those so affected by the statement that forty million bacteria may exist in a drop of milk that they prefer diseased milk to such knowledge. Prudery prevents the open and frank discussion of those venereal diseases which so vitally affect the human race. Such opposition must not prevail.

It is increasingly evident that the conditions of life and labor of the workers of the world—children, men and women—are of fundamental importance. Better a slow development than one purchased at the expense of the future efficiency of child laborers. Fatal to progress is the continued existence of large groups under conditions causing physical or mental breakdown. Self-evident, you say? Granted, by everyone in theory, but often denied in fact. Vested interests, private profit, selfishness are here the handicaps.

Evident, too, it appears to the student that many old social institutions must be speedily and perhaps radically changed to meet new conditions if continued prosperity is to be ours. Our schools must prepare the ninety-five per cent. for life, not the five per cent. for college, for instance. Here the handicap is conservatism.

In a word, we live and think too much in vicious circles. Men and women live and work under bad conditions. The children are poorly nourished and sadly neglected. Low ideals are inculcated—result, inefficiency, poverty, vice, crime. In another group opposite conditions prevail, opposite results follow. Popular opinion of the successful group says heredity—blood tells; that of the

other says environment, exploitation, lack of opportunity. I know of no better way of contrasting the philosophy of the so-called upper and lower worlds.

To such loose thinking an increasing protest is arising. Unconscious, perhaps, of its full significance, many of those now grappling with social problems are condensing their statement of causes into the one word, "maladjustment." In a word, we create the evil as well as the good. Nature is impersonal. To an increasing degree man determines. The race stock remains practically unchanged. Each generation starts on the same physical level. Are conditions such that physical strength will be conserved or exhausted? Will children become robust men and women or weaklings? Do social institutions provide opportunities or check ambition by some form of privilege?

In America we must face the issue. God cares no more for us than for other nations. The problems of vice, crime, poverty are ours. Only by intelligent study of the situation, only by effective coöperation in remedial and constructive measures can ultimate downfall be averted. As individuals we are helpless.

In my judgment the situation is hopeful. To realize that our problems are chiefly those of environment which we in increasing measure control; to realize that, no matter how bad the environment of this generation, the next is not injured provided that it be given favorable conditions, is surely to have an optimistic view. Shall not our ideal be, then, a sound body as the necessary basis of a sound mind, a healthy, progressive race?

THE SIGNIFICANCE OF A SOUND PHYSIQUE

BY DUDLEY ALLEN SARGENT, M. D.,

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Juvenal's dictum of "a sound mind in a sound body" is a brief description of a happy state in this world, but how few of us realize its practical significance. Our bodies as they exist to-day are the results of struggles and conflicts that have gone on through the ages, in which the ability to stand erect and to use the trunk and limbs in lifting, carrying, pushing, pulling, striking, walking, running, jumping, swimming, etc., have played a most important part in enabling man to maintain a footing in the world and to compete for existence with other species of the animal kingdom. Yet there is hardly one of these physical activities in which man has not been surpassed by some of the lower animals. Therefore if we would account for man's supremacy among animated creatures we must look for it in the superior development of his brain and the more intelligent use of his hands and fingers.

This fact has become so evident during the past few centuries that nearly all the schools and colleges founded for the education of the young have given much attention to the training of the mind and paid little attention to the training of the body. It is only within a very few years that technical schools for training in the manual arts have come into existence, and there is no school or college that I know of where the education of the body as such is made an essential part of the curriculum. To sustain this theory as to the superiority of the mind over the body the young are frequently told of the great work that has been done by Pascal, Darwin, Spencer, Marcus Aurelius, William Wilberforce, Robert Louis Stevenson and others, though they all had inferior physiques, as contrasted with the mental and moral efforts of the world's champion oarsmen, matadors, pugilists and athletes with their splendid bodies.

These exceptional cases only serve to illustrate the extent to which nature will go in her variations from the normal when special development for any purpose is required. Danger lies in the

direction of the extremes, and unsoundness, disease and extermination are the inevitable results of too great a departure from the mean. In mental and physical development nature always tends toward the normal. In refusing to perpetuate the extremes she keeps down the number of freaks and anomalies. In seeking for man's success in competing with rivals and contending with the forces of nature we have not been sufficiently mindful of what he owes to the division of labor and the ability to coöperate with others. This is now becoming very apparent in the building of a community or nation—it is equally apparent in the building of a sound physique.

One of the first difficulties encountered in trying to develop the muscles of any particular part of the body is that a limit in size and power in these muscles is soon reached. If these muscles are on the calf of the leg, for instance, and one is desirous of making them larger and stronger, it is often found necessary to develop the muscles in other parts of the body before the calf muscles will increase beyond their first limitation. Finally a stage of development is soon reached in each individual beyond which no amount of further use or practice will carry it. This was for some time a paradox—now the same law is known to apply to all the other organs and tissues of the body. Larger muscles in a limb would not only call for larger bones, tendons and connective tissues, but for larger blood vessels, a better developed heart, lungs, nervous system, etc.

The interdependence of one part of the body upon another has been brought about largely through a differentiation of the tissues and organs. In the lowest forms of animal life, as in the amoeba, for instance, the little animal feels, moves, breathes, catches and digests food, although it consists of but one cell. The higher animals perform their functions by means of different cells set apart in special organs. Thus we have bony tissue, cartilaginous tissue, muscular tissue, respiratory tissue, nerve tissue, etc., each having special duties to perform. The physiological division of labor among the higher animals has resulted in the better performance of the specific functions of the various organs and tissues of the body, and consequently in the development of the highest species as represented by man. The development of the higher animals has been greatly favored by the establishment of the heart, lungs, blood

vessels and nervous system, by which the food and oxygen of the air is carried to all parts of the body and the exchange between the different tissues is regulated and controlled.

The high physiological position attained by man has not been won without a great internal struggle. We are all familiar with the external struggle for existence—but how many of us have thought that the primary and fundamental struggle must be that of the organic forces at work in creating a structure capable of pushing its way amid external forces?

The organism must find a footing in the world before it can compete with rivals and defend itself against foes. The reason why fifty per cent. of the children born fail to find a footing in the world is in consequence of inherited weakness, internal dissensions or imperfect development, all of which may be traced to malnutrition. All parts of the body are competing for their pabulum or food which is supplied by the blood. The parts which are most active generally get the larger share, but as the quantity of blood in the body is limited some other parts get less than their share. This leads to the establishment of an organic weakness or constitutional defect. If one of the parts deprived of its proper nutriment is an important organ, then imperfect function will result and all parts of the body will suffer in consequence. Sometimes an excessive accumulation of muscle tissue impairs the efficiency of the muscles, the person becoming muscle bound, as it is termed. Whenever there is an encroachment of one tissue upon another there is always a disturbance of the normal balance, which readily passes into a pathological state. Fatty degeneration of the heart or some other diseased condition results.

A sound physique, therefore, implies a bodily condition in which there are not only well-proportioned limbs, perfection of structure and harmony in muscular development—but a condition in which harmony and accord exist throughout the whole organism. If these facts are well founded then the health and soundness of the various tissues and organs of the body must depend upon their receiving a just share of the body's nutriment. The distribution of nutriment we found to be greatly influenced by the activity of the different organs and tissues. We have seen that man's status as an animal among animals was the resultant of an all-round conflict with nature and brute forces which must have given him the vigor-

ous all-round physical development with which he is naturally endowed. We have also seen that his recent progress as a social being has been greatly dependent upon the division of labor and the further culture of his fingers, hands and brain. But the division of labor through the invention of machinery calls for the use of very few muscles and faculties, and many occupations do not furnish enough all-round employment for the body to keep it in good health.

Think of the simplicity of service now expected of many of the employees in our great railroad systems. One man sells a ticket, another watches it drop in a box, another rings a bell or blows a whistle, another presses a button, another opens or closes a gate, and so on. This is fairly typical of the little physical and mental effort now required to earn a livelihood in many of our great industries. It is hardly necessary to add that such a pursuit carried on persistently through a long term of years without any other life interest to supplement it would lead to general atrophy of the muscular and nervous systems. In other words, a larger portion of the working classes, though toiling for wages and food externally, are literally starving some of their bodily tissues, if not their very souls, for want of sufficient nutriment. For it matters very little how much food is consumed or how much air breathed, the tissues can only be well fed just so far as they can be induced to take up this food and air as a result of their organic activity.

As division of labor and use of machinery have greatly reduced the amount of all-round physical and mental effort now required of the individual, as well as the hours of his employment, it becomes a matter of vital necessity that something should be done to make up for the deficiency of his occupation as a health promoting, body building and mind developing agency. The leisure now gained through the great reduction in the hours of labor affords an admirable opportunity for physical and mental culture and recreation and for all-round personal improvement. To embrace this opportunity is the only way to counteract the narrowing and deadening influence of our highly specialized occupations, and to keep up the mental and physical vigor of the race. But our schools, colleges and athletic clubs all tend to specialize, and with the increasing demand for more industrial training less and less time and

attention are being given to mental and physical culture as such. If extent of knowledge, the advancement of science, skill in labor, excellence in art and preëminence in sport are all thought worthy of the greatest effort on the part of the individual, it is difficult to see how a high degree of specialization is to be prevented.

This concentration of effort and singleness of pursuit frequently bring success—but it is success dearly purchased by many brain workers, by emaciated limbs, feeble digestion, weak lungs, congested liver or exhausted nervous system. In spite of the fact that there are a few exceptional men who have won great distinction though handicapped by a diseased organism and a feeble body, I am prepared to maintain that the world's work has not been done by invalids, but by men of a vigorous constitution and a sound physique. This applies to those who have worked with their brains as well as to those who have worked with their muscles. This must necessarily be so, since the brain, being an organ of power, depends upon the fuel received as food through the circulation of the blood. Thus the lungs and heart are immediately involved. These organs again fall back upon the digestive apparatus and this apparatus upon the tone of the muscular system, which if feeble may impair the capacity of a good heart, sound lungs and a well-constituted brain.

The capacity of the brain for work, then, may be said to depend upon the soundness of the physique. By a sound physique I do not mean the supreme development of the muscular system as frequently represented by heavyweight athletes and professional strong men. I mean the natural physique as found in the youth of both sexes ranging from ten to seventeen years of age. The observations made upon some thirty thousand school children in St. Louis, Mo., in 1893 established the fact that children of the same age of superior physique, as shown by their superior height and weight, were also superior in their mental capacity as shown by the school records. This fact has been confirmed by more recent examination of several hundred thousand children made by different observers at Chicago, Ill.; Cambridge, Mass.; Omaha, Neb.; London, England; Berlin, Germany, and St. Petersburg, Russia. The same observation of a superior physique accompanying superior mental faculties was shown in the members of the Royal Society of England.

I should like to believe that it would be true of any distinguished body of intellectual workers in this country. Considering the large per cent. of professional men who were rejected as unfit for service during the Civil War, I fear that this assumption might not be verified. I regret to add, also, that this fact is not borne out by any correspondence between the physical measurements and the rank-book tests of our college students. The athletic students, however, devote much of their time and energy to the development of their physique, while the scholarship men devote themselves almost exclusively to mental work.

Is it not a sad commentary on our system of higher education that the natural condition of a superior brain in a superior body, that undoubtedly exists in our youth during their early teens, the formative period of their lives, should not be carried through their maturity to manhood. Perhaps it is, and the man with the superior physique will be heard from later in life. If so the rank-book of the instructor records the faithfulness and industry of the scholarship man rather than his superior brain power. To this industry should be coupled his willingness to sacrifice his bodily soundness or health in hopes of gaining greater mental power and efficiency. This is a futile assumption, as we have already shown. So futile, that in the treatment of criminals, dullards and the mentally defective, who have as a class very poor physiques, it has been found necessary to reconstruct and improve them physically as far as possible by systematic exercise, bathing, dieting, etc., before they can be much improved mentally and morally. With this method of procedure most remarkable results have been accomplished. Are not our school children and college youth worthy of as rational treatment as is bestowed upon criminals, dullards and defectives? Some of us think so and have been advocating for years the training of the muscles, the cultivation of the senses and the improvement of the physique as a fundamental basis for a broader, sounder and higher mental development.

All of the great nations that have ever done superior intellectual work have preceded this mental awakening with a period of great physical activity and bodily improvement. We are already beginning to record a very considerable increase in the average measurements of many of our school and college youth. In 1880 the average height of the students at Harvard University, including

all classes, was 67.7 inches and the average weight was 135.2 pounds, both measurements being taken without clothes. In 1906 the same class of students at Harvard averaged 68.7 in height and from 140 to 143.3 pounds in weight—the scientific students weighing about 3.3 pounds on the average more than the academic classes. In 1880 only 50 per cent. of the Harvard students would have surpassed the height and weight of the army average. To-day over 65 per cent. would pass this standard. This is a most remarkable uplift in growth and development for any considerable body of men in any country or community to have attained in twenty-five years, and is a great tribute to the noble efforts that have been made during the past quarter century to interest our school and college youth in athletic sports, plays, games and gymnasium exercises.

I am optimistic enough to believe that when the adoption of regular systematic physical activity for our youth of both sexes becomes more universal a gradual improvement in physique will be accompanied by an improvement in mental and moral attainments. To hasten this day the whole boy must be put to school, and the school and college must assume the responsibility for his mental, moral and physical development. When this time arrives the community will not be slow to realize the true significance of a sound physique.

INFLUENCE OF HEREDITY ON HUMAN SOCIETY

BY CHARLES B. DAVENPORT,

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Human society is a loose organization of the people of any race or country that is based on traditions and consensus of opinion expressed both in "good manners" and written laws. Such an organization tends to make more agreeable and effective man's existence as a gregarious species. Human society is not everywhere the same, because the traditions of peoples differ. The best citizens in certain regions of Africa go clad in a way that would lead to incarceration in Philadelphia, while the marital relations of certain oriental countries would have been considered impossible in the loosest era of the Dakotas. Recognizing once for all the arbitrary nature of our social traditions, we have to consider how heredity influences the white man's society of the United States of to-day.

First of all it is necessary to point out that, until recently at least, human society was founded on a fundamentally wrong assumption that all men are created alike free agents, capable of willing good or evil, and of accepting or rejecting the invitation to join the society of normal men. But in recent decades legislators have come to realize that human protoplasm is vastly more complex than their philosophy conceived, and that the normal man is an ideal and hardly a real thing. Every man is a bundle of characteristics, and no two are exactly alike. Not only has he the physical characteristics of brown, black or red hair, blue or brown eyes, short or tall stature, slight or heavy weight, but he has a mass of less evident but, in their relation to human society, more important qualities. His sense organs may be nearly normal or very defective, so that he cannot see the color of the signals displayed to the train he is controlling or hear the submarine sound that tells of impending collision, or smell the smoke that should warn him to alarm the sleeping inmates. The position and connections of the association fibres of the brain may approach the

typical condition or they may be so aberrant that the person misinterprets the things he sees. His brain may be incapable of developing properly in single or all directions, so that he remains with defective judgment, memory and, even, instincts, unable to appreciate the traditions of human society or, perhaps, impelled constantly to run counter to the fundamental principles of that society—tearing them into shreds. He may be subject to illusions or hallucinations; he may suffer from melancholia or paranoia in its multifarious forms, leading him to commit arson or murder and to assassinate high officials. Heavy is the toll human society pays for the presence of these degenerates.

If these qualities of degeneration were merely sporadic, accidental, due to a rare combination of environmental conditions, human society could protect itself sufficiently by secluding the feeble-minded, imprisoning those with active forms of psychoses and putting to death those with homicidal tendency. But, on the contrary, just these defective conditions are inevitably transmitted in the germ plasm and are apparently being reproduced faster than the more normal characteristics. Thus Dr. G. A. Doren, of the Ohio Institution for Feeble-Minded Youth, states:¹ "Unless preventive measures against the continuously progressive increase of the defective classes are adopted, such a calamity as the gradual eclipse, slow decay and final disintegration of our present form of society and government *is not only possible, but probable.*" At a time when, through prudential restraint, the birth rate of the best blood of our nation barely suffices to replace that lost by death, the unrestrained, erotic characteristics of the degenerate classes are resulting in large families, which are withdrawn from the beneficent operation of natural selection by a misguided society that is nursing in her bosom the asp that may one day fatally poison her. Modern studies in heredity show us the danger. Whenever a unit quality or characteristic is lacking in *both* parents it will be wanting in all of their offspring. If both lack the capacity of developing properly the cortical cells all of the children will be wanting in this respect. Some of the cases described by Dr. Martin W. Barr² are certainly or probably of this sort. He states that he has known "Three imbecile children [who] have parents each of whom is both imbecile and drunken"; "an imbecile deaf mute, an inmate of an alms-

¹"Our Defective Classes. How to care for them and prevent their increase." Columbus, Ohio, 1902.

²Alienist and Neurologist. August, 1905.

house from girlhood, is the mother of six illegitimate idiot children. I have recently been called to examine . . . an imbecile woman with seven illegitimate idiot children. I know, furthermore, of a family of twelve brothers and sisters all of the lowest grade of idiocy, two lapping their food like dogs, their only language animal cries." The history of the Jukes suggests the same method of inheritance for laziness. The pauper harlot, Ada Juke, married a lazy husband. Both parents are temperate, but all four children are indolent, even the most industrious having received outdoor relief. One of these children marries a lazy man, and all of the six children of whom as adults there is knowledge were lazy. One of these married a lazy woman, by whom he had nine children. Nothing further is known of three of them, but *all* of the others were recipients of outdoor relief. It will be observed that we have not here to do merely with a high percentage of pauperism in the offspring of two lazy people, but with 100 per cent., or complete, pauperism. The children cannot rise in any particular quality above the potentiality of their more advanced parent. Training the feeble-minded will develop the characteristics that are present, but will create no new ones. No amount of training will develop that of which there is no germ; you may water the ground and till it and the sun may shine on it, but where there is no seed there will be no harvest.

Modern studies in heredity, again, show that when one parent has a characteristic, and comes of a strain that has it purely developed, while the other lacks the characteristic, the children will all tend to have the characteristic, but in a diluted condition. Such a diluted characteristic is called *heterozygous*. In the germ cells of such children the character segregates into half of the germ cells and the other half lack it. Where two such individuals possessing a *heterozygous* character marry each other, then, on the average, one-fourth of the offspring will result from the union of two germ cells possessing the character, two-fourths from one germ cell possessing and one lacking the character, and one-fourth from two germ cells lacking the character—children from two such germ cells will, of course, be without the character even though both of their parents possess it. We have, possibly, a case of that sort in the Jukes. In the legitimate branch of Ada, the harlot, which intermarried with that of Clara, the chaste, there are in generation No. 5 four sisters, children of an industrious father and a chaste,

legitimate mother, whose mother, in turn, was a chaste daughter of Clara. Returning to the father, we find his mother a chaste daughter of Clara. From two such chaste parents, then, are born the aforesaid four daughters—three chaste and one a harlot. How is this? Simply the chastity of the parents was heterozygous. Their father's father was the licentious son of Ada, the harlot, and their mother's father was the son of Belle, the prostitute. The proportions 3 to 1, familiar to every student of mendelian heredity, is thus exactly realized in these children of two parents heterozygous in respect to chastity. Environment seems to have had as little to do with the result as with the color of the lambs in my flock of sheep. Indeed, we know already that *many* human characteristics are inherited in mendelian fashion—polydactylism, syndactylism, short fingeredness, bleeding or haemophilia, night blindness, congenital cataract, color blindness, keratosis palmæ, albinism, eye color, color and curliness of the hair. Doubtless many, if not all, of the elementary, physical, intellectual and moral characters are thus inherited. The clear lesson of mendelian studies to human society is this: That when two parents with the same defect marry—and there is none of us without some defect—*all* of the progeny must have the same defect, and there is no remedy for the defect by education, but only, at the most in a few cases, by a surgical operation.

Hitherto I have spoken chiefly of heredity of defects, and I have done so because here heredity appears in its simplest form. When any quality is absent in both parents it is absent in *all* children, while a quality that is present in the parents may be heterozygous—in which case it may become absent in some of the children—or it may be homozygous, in which case it will be passed on to 100 per cent. of the progeny. Moreover, the presence of a character in one parent will dominate over its absence in the other parent, and that is why the offspring of a parent *with* a pure character mated to a parent *without* will *all* possess the character. The advanced condition masters the retarded or absent condition. It is obvious that the inheritance of positive characters is relatively complex.

The importance to human society of positive characteristics in the germ plasm needs little argument. All will admit the debt of society to the Bach family, containing musicians for eight generations, of which twenty-nine eminent ones were assembled at one family

gathering; to the family of the painter Titian (Vecellio) with nine painters of merit; to the Bernouilli family, of Swiss origin, with ten members famous as mathematicians, physicists and naturalists; to the Jussieu family, of France, with five eminent botanists; to the Darwin family, which gave not only Charles Darwin, his eminent grandfather, Erasmus, and his cousin, Francis Galton, but also among the children of Charles, a mathematical astronomer of the first rank, a professor of plant physiology at Cambridge University, an inventor of scientific instruments of precision, and a member of Parliament; in this country to an Adams family of statesmen, an Abbott family of authors, a Beecher family of authors and preachers, and an Edwards family that has supplied this country with many of its great college presidents and educators, men of science, leaders in philanthropic movements, inventors, and leaders in the industrial world.

Important as are these great families, their qualities represent only a small fraction of the powerful hereditary characteristics that are inherent in our best protoplasm. In this day of *conservation* would that we might keep in mind that this protoplasm is our most valuable national resource, and that our greatest duty to the future is to maintain it and transmit it improved to subsequent generations, to the end that our human society may be maintained and improved.

We have considered the influence on human society of protoplasm *deficient* in the characters that determine sensitiveness, energy, proper association of ideas, inhibitions and other qualities that go to make a normal, moral, effective man. We have seen, on the other hand, what a precious heritage is in the extraordinarily favorable combinations of favorable characters found in certain grand families. Between these extremes lies the great mass of human beings that are not enrolled on the record books of asylums or houses of detention nor listed in "Who's Who," but which constitute the mainstay of human society. What that society shall be in the future depends on the characteristics of the common people of the future. The question of questions in eugenics is this: How shall the inroads of degeneracy be prevented and the best of our human qualities preserved and disseminated among all the people?

First, the scandal of illegitimate reproduction among imbeciles must be prevented. That class often shows a frightful fecundity. If segregation is inadequate protection and since reason cannot

overcome the sentiment against destruction of the lowest-grade imbeciles, at least operations should be required that will prevent the reproduction of their vicious germ plasm.

Second, the old idea that there is in society any *class* that is superior to any other class should be abandoned. It is the *characteristics* of the germ plasm and not individuals as a whole that are favorable or prejudicial to human society. The way to improve the race is first to get facts as to the inheritance of different characteristics and then by acquainting people with the facts lead them to make for themselves suitable matings. The only rule, a very general one, that can be given at present is that a person should select as consort one who is strong in those desirable characters in which he is himself weak, but may be weak where he is strong. Such a marriage will not necessarily lead to a reduction in the children of the strong characters, certainly not to a permanent reduction in subsequent generations, and it will probably lead to a functional disappearance of the weak condition. By appropriate selection of consorts in subsequent generations the weak condition may not reappear for a long time, if at all. Thus two parents, deaf from *different* causes, will have only hearing children, because each parent contributes the factor that the other lacked, and if the children marry into stock with normal audition the ancestral defect will probably not reappear. But if *cousins* with the *same hidden* defects marry, there is one chance in four of two germ cells with the *same* defect meeting and reproducing the defect. Herein lies the danger of consanguinous marriages. For there is hardly a person born with every desirable characteristic present in the germ plasm and *relatives* are apt to have the same defects and so are especially apt to have defective children. Outcrossings, marriages between unrelated persons, diminish the chances for a similar combination from both sides. The mating of dissimilars favors a combination in the offspring of the strongest characteristics of both parents and fits them the better for human society.

In what I have said I have repeatedly approached, and very likely at times passed beyond, the borderland of science. I would not be satisfied to leave you with the false idea that our knowledge of heredity is now complete. Rather would I urge that perhaps the greatest need of the day for the progress of social science is additional precise data as to the unit characteristics of man and their methods of inheritance.

RACE IMPROVEMENT BY CONTROL OF DEFECTIVES (NEGATIVE EUGENICS)

BY ALEXANDER JOHNSON,

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For ten years and a half I had charge of a large school for imbeciles, where I had passing through my hands in that time more than 2,000 feeble-minded people of various ages from 5 years to 45, so what I shall say about defectives is not theoretical, but is founded on personal observation and first-hand knowledge.

It is quite possible to over-estimate the effects of heredity. We must admit, with Weismann and others, as well as with Darwin in his later life, that acquired traits are not transmissible. But it is also clear that traits which originate by variation are transmitted, and we can prove that environment is at least one of the important factors in variation.

When we are considering heredity from the viewpoint of the sociologist I think we may reasonably give it a slightly wider scope than belongs to it in the strictly physiological sense. As sociologists we may consider the effects on the child, not only of the strict physiologic heredity, which is complete at the moment of conception, but also of the influences which act during gestation and in the earliest period of infancy. Strictly speaking, these influences are part of the environment, but they so closely resemble hereditary influences that sociologically we may consider them as practically inseparable from them.

We find many families in which a vicious taint may be seen coming down from generation to generation, modified in given instances by environment. It varies in its form of expression which is sometimes like that in the parent and often different. It differs in different members of the same family, brothers and sisters. Children of epileptics may be idiotic or insane, or have one of a dozen different neuroses. Sometimes the taint appears to skip one generation, reappearing in the next. If in mating degenerates were restricted to degenerates the degenerative tendency would probably die out with the decadent family. But unfortunately the

defective blood is continuously reinforced by strong, if vicious, blood from outside its own ranks. Probably if the idiotic, insane, epileptic and feeble-minded could be deported and placed together on an island in the Pacific and left to themselves, the degenerate race would die out in two or three generations. The mothers of most of the next generation of feeble-minded and idiotic are such themselves; but most of the fathers are strong-minded. This is the most powerful argument that I know of, for the protection of the feeble-minded from the passions of vicious men and from the effects of their own weakness.

I do not present to you anything in the nature of an academic discussion. I desire to offer an exceedingly practical proposition. There is a certain positive piece of state business to be done by the American people with regard to the degenerate classes. I believe it is well within the power of the people of each state to do that state's share. I admit that it is a tremendous piece of work, but we are not afraid of large undertakings.

This is an era of big things being done. We take a few miles of sand dunes by the lake side and transform them in a year or two into a city of 100,000 people surrounding a steel plant which manufactures many million dollars' worth of steel annually. We have no doubt of our ability to do any big thing that ought to be done.

The feeble-minded, idiotic and insane, or certain classes of them, are certainly vitiating and lowering the average standard of the race. The total number of them is not so large as we sometimes fear. Of the epileptics we have a pretty accurate estimate. About one in 500 of the population in Europe, and in America the number is very nearly the same, or one-fifth of one per cent of the population, are epileptics. The feeble-minded we have not so accurately estimated, but I think the number is about the same, perhaps not quite so many. Many of the epileptic are also feeble-minded. Many are strong-minded. Julius Cæsar, Mahomet, Napoleon Bonaparte were supposed to be, and perhaps were, epileptic.

Of the insane the number is not far different. I think if we could count the insane, the epileptic and the feeble-minded we should find the total to be not more than one-half or two-thirds of one per cent of the total population, surely not a number to inspire terror in the strong-minded remainder.

Add to this number the weak, shiftless people always on the verge of pauperism and continually falling over into it, especially the numerous mothers of illegitimate children, women so nearly feeble-minded that you are not quite certain whether or not they should be detained in custody, who, under our wretched pauper system, or want of system, are continually in and out of the almshouses, coming in pregnant, bearing a child, going out leaving the child behind, and coming back soon again in the same condition, clearly degenerate, evidently hopeless, the mothers of the Jukes and their like.

Still, with all these added, the total would not be so tremendous, not more than we can handle, and we do something with them now. Our present inefficient semi-neglect of them is costly. For their own sake and that of the body politic we ought to take some positive method to control the whole class and to make their reproduction impossible. For it seems certain that, unhindered, their natural increase, since it is not affected by the restraints of prudence and self-control, is more rapid than that of the general body of normal citizens.

Four remedies have been offered for the increase of the degenerates:

First, restrictive marriage laws. A few states restrict the marriages of insane and idiots. I know only one which goes so far as to control the feeble-minded and epileptic. That is Connecticut. But the laws are not heeded to any great extent. I think if the laws in regard to idiocy were carried out further, and if the general public could be educated up to the point of view of those who have studied the subject, as to the exceeding horror and odiousness of such a marriage, they might have some effect. But restrictive marriage laws have never been largely successful. The typical instances have been those of Austria and Sweden, each of which countries tried to diminish poverty by such laws. The net results were a great increase in immorality and in the number of illegitimate births. In this country, as elsewhere, many of the degenerates are born outside the marriage bond.

McKim in his book on "Heredity and Social Progress" declares we must eliminate the degenerate by a humane and painless death—have same pleasant lethal chamber into which they may be introduced, lie down to happy dreams and never waken. It is not

worth while discussing that, not even as an academic discussion, it is so tremendously far away. What the results would be I do not like to contemplate. What horrible degradation would ensue; what desperate changes in human character would result; how far down we would go toward or below the morals of Greece and Rome when the citizen was nothing and the state everything. I do not propose to argue that question before you.

The next plan is of the same kind, but differs* in degree,—sterilization. I do not care to discuss that either. It also would be nothing but an academic discussion. Those who propose it, propose it for the people from whom there is or should be the least danger, the incorrigible criminals, who certainly should be retained in custody for life, and the hopeless idiot. In my own state, Indiana, I am ashamed to say, an ingenious method of sterilization has been introduced which would seem to foster and encourage sensuality by promising immunity from some of the dangers which usually attend it. I consider it a most serious and dangerous attack on public morals. It has been introduced by people who are entirely well-meaning and who would not wittingly do anything against religion and ethics. I regret that it is becoming popular and that people in other states desire to copy it. When I talk against it I feel like the voice of one crying in the wilderness, or like that Wisdom which, we are told, cries aloud on the streets and no man regardeth her.

I think these plans are futile. I think neither restrictive marriage laws, elimination by a painless death, nor wholesale sterilization can be applied, at any rate within the next generation or two, so as to have any serious effect in the reduction of the number of the degenerate classes. But I think a process can be applied, and is now being applied, partially, in many states, with remarkable success, that is entirely within our power to apply thoroughly. I think that the whole class of the feeble-minded and the epileptic, say two-fifths of one per cent of the whole population, may be at once segregated and taken into permanent, maternal care by the good Mother State. I think that such care can be exercised upon them as will not only make their miserable lives much less miserable than they are, but make most of them positively happy. It is quite possible and practicable to establish, in every state in the Union, orderly celibate communities, segregated from the body politic;

set off by themselves on land selected for the purpose, in buildings constructed to some extent by their own hands, where the feeble-minded people, and the epileptic people, and the chronically insane people may be cared for permanently, and a large part of them made entirely self-supporting. I do not know how large a part are capable of self-support under due control. A friend of mine who had charge of a large institution in which he had been successfully treating feeble-minded and epileptics, used to say eighty per cent of the total number could be made self-supporting. I thought his claim rather too high. But from my own experience I am confident that sixty per cent of the total number of the feeble-minded could be made self-supporting. What does it mean—self-supporting. It does not mean that a feeble-minded man can do a full ordinary man's work. If so, he would be three times self-supporting. Any man, given steady work, in a civilized community, can earn a living for himself, his wife and his family. He can surely earn the living in a moderate way of three adults. Therefore if my insane, epileptic or feeble-minded laborer does one-third of one man's work, or just enough over a third to pay for the extra supervision he requires because he is feeble-minded, then he is entitled to be called and he is, a self-supporting member of the community. I have had hundreds of such people under my care. I am going to tell you of just one group of such laborers, out of many instances of which I know, because I want to clinch my argument with some facts of experience.

I discovered on our colony farm, two miles away from the main institution, that we had an extensive deposit of excellent brick clay. Now, feeble-minded and epileptic people, properly managed, are usually willing workers, and I was always on the lookout for industries for those in my charge. I did not know any more about making bricks than the ordinary man, but I began in a cheap and tentative way and gradually increased the plant until I had a brickyard which employed twenty-seven to thirty feeble-minded boys, ages eighteen to thirty years, working under two strong-minded men. We turned out, for several years, a million bricks annually. They were worth \$5.00 per thousand, and they cost the state about \$2.00 per thousand to make.

Among the brickmakers were five or six of those we call high-grade imbeciles, boys with whom you might have to converse

for five minutes before you could discover their defectiveness. There were a dozen or more of the middle-grade and eight or nine idiots who could not talk at all, but could earn their living shoveling clay into a wagon.

Now, in the simple homely fashion in which we lived on that farm, clad in summer in blue denim and in winter in any kind of warm clothes no matter how patched, if clean, fed on simple wholesome food and plenty of it, with no ostentation nor extravagance for inmates or care-takers, the gross cost of the support of these boys was only \$110.00 per annum per capita. But when we deducted from that \$110.00 the value of the hay, milk, potatoes, pork, apples and other farm products, raised on the colony farm and sent down to the parent institution, the net cost was only \$69.00 per capita. The thirty brick-makers earned \$3,000 in the brick-making season of eight months, which was considerably more than their net cost for a year.

We could easily have sold all the bricks we made at a higher price than I have quoted above, but instead we held them until the legislature helped us to put them into houses to receive more imbeciles.

As to the produce of our gardens and orchards, when we had more than we could use in the colony or at the parent institution, with its 1,000 inmates and 200 employees, we had good customers for our surplus in the other state institutions which were not so favorably situated, without invading the usual arteries of commerce.

Now, farm life and labor is but one of the many available industries for the feeble-minded, insane and epileptic. The great institutions for the latter at Bielefeld, Germany, and Sonyea, N. Y., have shown that there are abundant possibilities of profitable occupation for every one of them.

The class of defectives that has the strongest appeal to our sympathies is that of the feeble-minded women. When we neglect them we are exposing them to dreadful danger. Women physically, they are only babies in intellect and self-control. We say to these children, not in words but in deeds, as we say to many of the normal children of the slums: "You must be virtuous. Virtue requires strength, for it means choosing the right and rejecting the wrong. You have only strength enough to be innocent, but you shall be virtuous or you shall be damned." Now, the feeble-minded

girl, only strong enough to be innocent, must be protected in her innocence, for she cannot protect herself.

I have not made a very careful estimate of the necessary initial expense of the plan I propose. I know it will amount to a large sum. Perhaps for the whole country, divided among the different states, as much as the cost of five or even six battleships. Perhaps as much as Mr. Carnegie's libraries have cost him. Perhaps twice as much as the amount of the fine which the Standard Oil Company did not pay.

But whatever the cost, the expenditure should be made, for it would certainly be an excellent investment. From the day we had corralled and properly cared for all the present stock of degenerates the burdens of the citizens would begin to lighten, not only those of feeble-mindedness, epilepsy and insanity, although the results would be seen there the most rapidly, but the burdens of pauperism, drunkenness, the dreadful things which come from prostitution, all those evils which we regard as such a serious menace to us, which add to the burden of the hard-working, underpaid taxpayer, the man who pays high rent for a city tenement, the man who pays taxes on his little farm. So hard it seems sometimes to pay those taxes to support people he has not much interest in. It would relieve all those burdens more quickly than anything else you could do. I think it is practical and sensible. It is not a new scheme. Many of the states are doing it a little. Enough is being done to clearly indicate the proper method for the whole work.

In my state we have five hospitals for the insane and we are building a sixth. We have one institution for the feeble-minded and we have begun one for the epileptic. We have about equal numbers of insane and epileptic. In this country we provide fairly good care for about eighty per cent of all the insane. We provide for about fifteen per cent of the idiotic and epileptic something like fairly good care, and the danger to the body politic is ten times as great from the latter class as from the former.

We fear the insane and despise the idiot. So we give the insane care and the idiot neglect, while in nine times out of ten the danger to us is much greater from the idiot. The danger of increase is extremely great from the idiotic and from the insane relatively little.

Every man and woman ought to read the presidential address

of the last National Conference of Charities and Correction, entitled "The Burden of Feeble-Mindedness." The president, very familiar with the work being done for the feeble-minded, told in a plain, simple way the exact facts, and showed how this feeble-mindedness, or degeneracy, affects not only insanity, idiocy and epilepsy,—not only those diseases of the mind or malformations of the brain, but also affects every other form of trouble. It affects the educational problem, the crime problem, and, more or less, nearly all our social problems. In an appendix are given statistics of a great many families of degenerates and the degrees of heredity which occur in them are shown. When you have read that address you will realize the need of the plan I propose or of some other and better one.

For the classes I have named I think public opinion is ready to approve and endorse some such plan as I suggest. There are other classes for which we shall be ready when we are completely doing the work which we have already begun. What these next classes will be I am not prepared to say. Perhaps the chronic drunkards may be among them; certainly the habitual tramp will be and other classes of paupers, besides the one I have described.

I do not offer a panacea for the ills of society. Possibly positive eugenics, the conscious selection of the best types for reproduction may come some day. Possibly, probably, it will never come. But for the important step in negative eugenics which I have briefly described, I believe the world is ready, nay is impatiently, waiting.

PART TWO

*Influence of City Environment on
National Life and Vigor*

POPULAR RECREATION AND PUBLIC MORALITY

BY LUTHER H. GULICK, M.D.,

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EVIDENCES OF RACE DEGENERATION IN THE UNITED STATES

BY WOODS HUTCHINSON, A.M., M.D.,

NEW YORK CITY

ESTABLISHMENT OF A NATIONAL CHILDREN'S BUREAU

BY HON. HERBERT PARSONS,

MEMBER OF CONGRESS FROM NEW YORK

CITY DETERIORATION AND THE NEED FOR CITY SURVEY

BY PROFESSOR PATRICK GEDDES,

UNIVERSITY COLLEGE, DUNDEE, SCOTLAND

POPULAR RECREATION AND PUBLIC MORALITY

BY LUTHER H. GULICK, M. D.,

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New York City.

The things we do, when we do what we please, are vitally related not only to health, but also to morality and the whole development of the finer self. The forms of our pleasure-seeking disclose what we really are. Those nations which devoted their leisure to re-creating health and building up beautiful bodies have tended to survive, while those which turned, in the marginal hours, to dissipation have written for us the history of national downfall. A daily life in which there is no-time for recreation may be fraught with as much evil as a leisure given over to a futile frittering away of energy. Greece became famous because four-fifths of her people were slaves and thus one-fifth had opportunity for culture.

The work which human muscle used to do is now being done by engines of various sorts, so that we have leisure again. Not only the few, but the mass have a margin beyond the working hours; the time that is left after the eight-hour day. The world has never seen such equality of opportunity before and the possibilities latent in this fact are stupendous. If it required only a small fraction of the people to immortalize Greece what marvels may not be done by us moderns now that all of us have a little time each day to devote to the expression of our real selves.

But we Americans, as yet, think only of work. Work is important, but it is only *one* of the important things. It secures food, shelter and clothing for us. Necessary things, to be sure, but belonging to that part of our lives which does not signify. In respect to these economic things—the things we work for—we are all pretty much alike. It is in the higher life of the spirit where we differ. If we would be *individuals*, stand out from the multitude, our spirits must have a life of their own. In truth, he has not really lived who has secured for himself nothing more than food, clothing and a shelter for his body.

When I speak of the "higher life of the spirit," do not appre-

hend that we are drifting into a religious discussion. A higher *liveliness* of the spirit would have expressed my thought even more adequately. The "play of the spirit" is not an empty phrase. It is always the spirit that plays. Our bodies only work. The spirit at play is what I mean by the higher life.

Play is the pursuit of ideals. When released from the daily work, the mill we have to tread in order to live, then we strive to become what we would be if we could. When we are free we pursue those ideals which indicate and create character. If they lead us toward wholesome things—literature, music, art, debate, golf, tennis, horseback riding and all of the other things that are wholesome and good, then our lives are rounded out, balanced and significant.

If education is "equipping for life," then it ought to be divided into two parts, equipment for work and equipment for play. If education is bound to provide us with the luxuries of the body it ought also at least to furnish us with the necessities of the soul. It must tell us not only how to get the most out of the working hours, but also how to spend most profitably and joyously the hours that remain.

We do not, however, need to be instructed upon the importance of *having* a leisure time. That need is instinctive. I am confident that one of the chief sources of social unrest is the envy, not of the food the over-rich eat, the clothes they wear or the character of the roofs over their heads, but of the sure and ample hours in which they can do what they like. The problem of a happy and wholesome use of the leisure time in the cities involves us in difficulties which have never been encountered before, but they are being met with courage and success.

We shall confine ourselves to the city side of the problem because, while the conditions of play and recreation in the country are not unimportant, we are fast becoming a city people, and it is inevitable that in the city the problem will be of primary importance.

You cannot drive people out of the city. We experiment by exporting them. But while driving them out of one slum they return to another, and to stay. The great human abhorrence of loneliness is unconquerable. We like each other *so* much—at least that is one reason why we refuse to be rusticated.

Statistics tell, even more convincingly, the increasing urbaniza-

tion of our population. In 1790 3.3 per cent. of the people in the United States lived in towns and cities of 8000 and upward, while to-day over 33 per cent. live in the cities of the same class. It means not only that the cities are growing with phenomenal rapidity, but that the total population growth in our country during the past three censuses has been almost entirely an urban growth. In Illinois I was recently told that within a single generation the average country school had shrunk from thirty-eight to twenty-eight pupils.

I do not, however, view this rush to the cities with the apprehension that is felt by many. The city is meeting its own problems successfully. Take, for example, the testimony of the death-rate, which represents the sum total of the influences that bear upon life. During the past three decades the country death-rate has remained practically stationary, while in the cities it has been going straight down from decade to decade. The truth is that cities have a purer water supply than the average farm. They dispose of their sewage more effectually than the country. Besides that, they have a more varied food supply. Recall for a moment the vacations when you have gone to the country dreaming of wondrous table delights and found them in reality coming out of tin cans.

There are, however, conditions peculiar to the city which give the problem of recreation there an added pertinence. It has to be admitted that the occupations of the city are woefully one-sided. We function so much of the time with only a particular part of our body or mind, or both, leaving the other parts to deteriorate through disuse, that there is an aggravated need of a leisure time in which to build out the all-around individual. The conditions of city life are so complex and new, so many of us are conscious of a lack of resources, that it is indeed a problem so to employ the margin of the day that it shall make for wholesomeness and rest, health and quietness, and helpful social contacts.

This is indeed the problem of the city, a problem surrounded with many difficulties, but one, nevertheless, whose solution is more clearly visible at the present time than the recreation problems of the country. Strange as it may seem, the greater tractability of the urban problem resides in the very condition to which people are wont to attribute most of the city's ills—I mean the density of the population. But before developing this idea let us take a

glance at a few of the present city recreations which exhibit unwholesome aspects.

There are at the present writing in New York City 200 moving-picture shows with an average daily attendance for each of 1000 persons. That makes 200,000 persons per day taking part in this one form of public amusement. On Sundays these shows have an average attendance of 500,000. While usually unobjectionable from the moral standpoint, the amusement which these exhibitions afford is sedentary and has no value as a bodily exercise. Generally, also, the ventilation in the moving-picture hall is so inadequate that a couple of hours presence in one of them, with all the attendant risks of exposure to contagious diseases, is a positive menace to the health.

New York has also about 200 dance halls, nearly all of them connected with saloons. Now, dancing in itself is a thoroughly wholesome form of recreation and exercise. But the moral environment of these places of amusement is such that it is not pleasant to think that a large proportion of the future mothers of American children has to resort to them in order to satisfy perfectly wholesome and natural cravings for play and companionship.

It is not necessary to mention the saloons and other resorts in our large cities which, under the guise of affording amusement, are also inflicting evil upon our young people. But I dare say few realize to what an extent some of our national institutions have become sources of bodily harm because of our inexcusable way of letting things do themselves and of failing to unite and give them the intelligent direction which they require and which would not only rob them of their capacity to injure, but vastly enhance their ability to do us good. Take, for example, the customary celebration of our national July festival.

It is reported from apparently trustworthy sources that more persons have been sacrificed in celebrating the Fourth of July than were fatally injured in the War of Independence itself. The following table taken from the *Chicago Tribune's* record of the last ten years is significant:

	Dead.	Injured.
1908	72	2,736
1907	58	3,897
1906	51	3,551
1905	59	3,169
1904	58	3,049
1903	52	3,665
1902	31	2,796
1901	35	1,803
1900	59	2,767
1899	33	1,742

And, again, quoting from the *Journal of the American Medical Association*, we have the following table of cases of lockjaw that have lately resulted:

	Cases.	Deaths.
1907	4,249	164
1906	5,308	158
1905	2,992	182
1904	3,986	183
1903	3,983	182

In the solution of these recreation problems the individual is helpless. Not long ago Dr. Woods Hutchinson met me on the street. Said he:

"Where does your boy play?"

"On the street."

"So does mine. Do you think it is a good place?"

"No."

"Well," Dr. Hutchinson continued, "wouldn't it be a good thing to have a place where they could have some swings and some seesaws, and a place to dig, and where they could make a boat and do things?"

"Yes," I replied.

"Let us get one."

"All right," I said, and he took one section and I took another to find a place. Difficulty after difficulty was encountered until we gave it up.

As a matter of fact city parents cannot provide in their homes places where children may play. We are unable to give our young people the wholesome social life which the full, rounded development of their natures requires.

But if the individual can do nothing the community, acting as a community, can. This is the inestimable advantage which the city has over the country. The close association of persons with common interests which is involved in city life and the ready responsiveness of the group-mind make feasible the carrying out of constructive programs for wholesome recreation of a splendor and attractiveness almost beyond the reach of the imagination.

Beginnings of this sort have already been made here and there. Kicked into action by one of its prominent papers, Springfield, Mass., set out to have a sane and safe Fourth of July. A committee was evolved. The committee secured the coöperation of the School Board, the Mayor, the Chamber of Commerce—the movement became so contagious nearly everybody wanted to get into it. The result was that Springfield had a Fourth of July that really dedicated the day, that bound together thirteen nationalities in one wholesome enthusiasm, that gave the children more harmless fireworks, the youth more healthful athletics and the people more hopeful poetry than the life of that city had ever before witnessed. The secret of it all was that the people acted as a unit to remedy an intolerable custom instead of, as individuals, just objecting and letting the foolish firecracker slaughter of the innocents go on.

One of the pleasantest aspects of the whole city recreation problem is that its solution is to be accomplished not primarily by restrictive, but by constructive measures. In the main, both children and grown-ups like good things better than the bad. People as a whole *are* wholesome. Their children are wholesome and they respond to wholesome things. The really shameful part of the business is *we* do not give them a chance. More than half, I believe, of our American boys and girls have to secure the bulk of their recreation in the streets, much of the time under influences positively unwholesome and sometimes dangerous to life. If our boys attempt to play baseball in the streets we arrest them. The 200,000 young people who frequent the dance halls of New York, if they dance at all, are compelled to take this exhilarating exercise under conditions which are frequently vicious in their moral influence.

To free ourselves from the present indictment of neglecting to give our young people the opportunities for wholesome recreation

and to carry out those constructive plans which promise so much for the future all-round development of the individual three things must be done. First, we must find out the facts. We should have an instantaneous occupation census.

By occupation census I mean a record of the age, sex and occupation of every person in a certain district upon a given hour. It would probably not be feasible to attempt to cover a whole city. Some Saturday night at perhaps nine o'clock would be a favorable time. This census would show just how many people are at that time on the streets, how many are in saloons, how many are in billiard halls, how many in bowling alleys, how many in gymnasiums, in dance halls, etc., throughout the entire district.

We know pretty well how and where people work. We know, for example, how many people are engaged in the iron trade, how many are miners and engineers, and how many are employed on farms. But we have no reliable data as to how many people dance or how many are interested in art or philosophy. We have quite authoritative information as to what people do to earn their food, clothing and shelter. We have very little idea, on the other hand, what they do when they please themselves, when they are pursuing their own ideals. Such a census as I have described would tell us just this.

The practical uses of census information of this sort are many. To take a single illustration: A great playground movement is going on all over the country. In some of the larger cities commissions, backed by substantial appropriations, have been authorized to investigate existing playground facilities. The attendance at the playground is recorded, but nobody knows how many children in a given area, say the four blocks around the playground, are at any given time *not* there. Do the children go to the playground for brief entertainment and then return to the street for the bulk of their play? These are fundamental questions and yet we are not able to answer them. The census would give us this information.

The second thing we must do to insure the widest and wisest indulgence in recreation is to promote a full and purposeful use of the facilities we now have. All over America there are school buildings and school yards, a great many of which are locked up

at three o'clock. The balance of the day they serve absolutely no use; whereas if they were open in the evening both children and adults might find in them the means for considerable social and recreative enjoyment. There are our manual training schools with their expensive equipments. Why let them be shut up after the regular school hours? It is better for boys to be working in shops, learning to use their hands by making kites and boats, than "shooting craps" in a dark alley. Why not keep the school yards open *all* of the time so that our children will not be obliged to play in the automobile-ridden streets. These properties belong to us; why not have the fullest use of them?

Besides extending the use of our school buildings let us also *plan* the use of our parks. At present we just *allow* their use. We do not even do what every big summer hotel does for its guests—provide guides who show how the various facilities may be exploited for the enjoyment of the patrons. Modern library administration has pointed the way. Libraries do not simply store books nowadays; they push books at people. But this enterprising and aggressive adaptation of our parks and horticultural gardens to the needs of humanity does not seem as yet to have been dreamed of. There are many which are not being fully used because of a lack of intelligent direction.

We need also deliberately to study our festival occasions. They are great possessions which we are allowing to go to waste. They could be made the focal points for large streams of social life. The marching, dances and ceremonies could be made to dignify the days they celebrate and to render them educational, instead of what they now so frequently are—dissipating for adults and meaningless for the children.

The third part of the program for popular recreation which is incumbent upon us of the cities is that of formulating a comprehensive plan. Such a measure as this is necessary if we are to make sure of an equal attention to the needs of every class and avoid that overlapping of energy which always accompanies individual, unconnected efforts. Our cities are being architecturally beautified in accordance with far-seeing, harmonious municipal designs. Why should not our physical, moral and social health receive the same broad, expert and centralized treatment?

There is an especial need of comprehensive planning at the

present moment because so many states and municipalities, at last awakened to a consciousness of their obligations, are beginning to make appropriations for recreative purposes. The Massachusetts Legislature has passed a bill requiring all cities and towns having over 10,000 people to vote upon the subject of maintaining playgrounds. Only two out of forty-two towns voted "No."

Up to 1908 New York City had spent over \$15,000,000 on playgrounds. In some instances the price paid for land was enormous. One plot containing less than two acres cost the city \$1,811,000.

In the past few years Chicago has spent \$11,000,000 on playgrounds and fieldhouses. These places have become centers of social life, as did the palestra in the old Greek days and the Roman baths during their epoch—places where whole groups of people have the opportunity of doing pleasant things together.

In the far West the movement is also under way and cities are bonding themselves for the support of parks and playgrounds.

Not only must municipalities and philanthropic associations coördinate their efforts in some harmonious, comprehensive scheme, but the whole plan must be administered by experts with definite goals in view. It is not enough to give everybody the chance to play. We must also direct that play to specific as well as attractive ends.

The tendency of a recreation to be warped from its legitimate purpose, when left to private adventure, is well illustrated in the development of baseball. Our national game has produced spectators in a number far out of reasonable proportion to the number of players. In England the actual participation in cricket is much more universal.

If our boys are going to learn team play; if they are going to acquire the habit of subordinating selfish to group interests, they must learn these things through *experience* and not from books or the "bleachers" maintained by professional baseball. Such moral development comes only through activities which are pursued with spontaneous and passionate enthusiasm. The boys must not only have sufficient opportunity to take part themselves in wholesome games, but these must have that intelligent supervision which shall insure not only the highest degree of pleasure, but also the fullest moral profit.

If, then, we can get people to do these three things, learn the facts, make what we have fully useful, and unify all activities in a harmonious plan, then we shall indeed have taken a long stride toward making popular recreation the well-spring of public morality. For the relationship of recreation to good conduct is not an idle thought. That familiar proverb might well have been written, "As a man playeth, so is he."

With increasing leisure the ennobling ideals which spring from play will wax stronger in the human soul. If we can but get everybody to play their own natures will do the rest. It is a task that can only be performed by coöperation, that union of effort which is possible only in the city. This is why the Bible says that Heaven is a city.

EVIDENCES OF RACE DEGENERATION IN THE UNITED STATES

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Prophecies of degeneration to come are as plenty as blackberries and have been since the foundation of the republic. But data that would meet the approbation of a Missourian are as abundantly scarce. The unanimous opinion of all foreign and most native observers is that the American race is degenerating, becoming lank, nervous, dyspeptic, frivolous and immoral; their only disagreement being the degree of said degeneracy and the causes which have produced it. The most favorite causes are: Too much rich foods, bolting our meals, fried things, wasting our saliva on the sidewalks instead of saving it for digestion, liberty run to license, too much irreverence and impiety. The general feeling fifty years ago was summed up in the remark of one of Martin Chuzzlewit's contemporaries, that "everything degenerates in America. The lion becomes a puma, the eagle a fish hawk, and man a Yankee."

In spite of our alleged "gude conceit worsels," we have been ready to almost apologetically admit that we were dyspeptic, neurasthenic, catarrhal, with the worst teeth and complexions in the world. In spite of our abounding ill health, each individual generation managed to jog along after a sort, but it was bound to tell in the long run, and now after from three to five generations, the awful and inevitable results have come. The first line-up which stamped us with the brand of physical inferiority was in the days of the Civil War, and here in the enlistment the full measure of our physical degeneracy was realized.

Almost every country in Europe and every degree of Americanization from the German "forty-niner" to the descendants of the three brothers who came over in the "Mayflower" was represented; not merely in scores, but in hundreds and thousands. When the war was over, some rash person started in to make a comparative study of these measurements, with the mortifying result of finding that the race had become so abnormally elongated in this process of

decay that the native-born Americans of all sorts were an inch to an inch and one-half longer than the foreign-born soldiers; and that those recruits who had been longest in America and at the same time least mixed with any recent importations or streams of immigrant Kentuckians and West Virginians were nearly two inches taller than the soldiers of any European nationality. This, of course, was simply due to the proverbial lankness of the Yankee. We turned to the next item, of chest measurement, in fear and trembling, only to find, however, that, due probably to our well-known fondness for oratory, our lungs had actually expanded to a circumference of an inch and one-half greater than that of the average European-born recruits. Wind, however, would explain all that, and we turned to the scales to find that our national lankness had consisted so largely of bone or some other heavy substance that our average was between five and ten pounds heavier than that of any foreign-born nationality. And again, the chestiest, as well as the longest recruits came from the mountains and valleys of Kentucky and Virginia.

This was most disconcerting, but of course we have known since the day of old Tommy Green that mere size did not constitute greatness, or even vigor, so as soon as proper statistics reporting births, deaths and other vital statistics were established, we began tremblingly to compare the records of Massachusetts, New York and the Carolinas with those of England, Germany and France. Nearly every comparison had a provoking trick, of almost an identical or even lower death rate and disease rate in the American column, except for our great cities; but of recent years even these have ranged up alongside of the European figures. This, of course, was easily explained by the imperfectness of our records and the fact that many cases of death and disease were not recorded. But for the last twenty-five years our sanitary organizations have advanced by leaps and bounds, until now we have large areas which are almost as perfectly reported and recorded as any in Europe, and the figures for which may be relied upon for purposes of comparison, and the net result may be summed up by saying that at practically no age, class or social condition is the death rate in the United States more than one or two points per thousand higher than in the corresponding class in any of the European countries, and in the large majority of them, especially in infancy and childhood, it is markedly lower.

One thing, however, we were absolutely sure of, and that was that we were not here in America living as they did in the good old days on the other side of the Atlantic. We might be bigger and healthier than our ancestors and contemporaries in Europe, but we certainly die earlier, probably by going to pieces all at once, like the "one hoss shay." The first thing that reassured us was that our insurance companies were still doing business, not only at the same stand, but at the same rates as European countries, and they did not appear to be losing money, either. Of course, this might be accounted for by the national pride and well-known philanthropy of these great benevolent institutions. But a study both of their records and of the mortality lists showed the unexpected fact that the average duration of life in America, even thirty years ago, was from three to five years greater than that in any European country, while to-day it is something like six years to the good. Yet our companies are still unselfishly doing business at the old rates.

Evidently our racial degeneracy is of a strange and peculiar type that cannot be precisely expressed in figures and measurements. It has not overtaken us as yet, but it will soon enough. Physically, we may be keeping up a deceitful appearance of vigor, but mentally and morally our doom is sealed. Yet here again the figures mock us and baffle us! Upon the face of the records we have less insanity per thousand of our population than any European country. This might, of course, be explained on the classic grounds suggested in Polonius' advice to send Hamlet to England, since there his eccentricities would not be noted, for over there all the men are as mad as he. But when we find on further scrutiny that our foreign-born nations contribute always an equal, and in most cases a distinctly larger, percentage of their numbers to our insane asylums than any locality or class of our native born, it would appear that the standards of eccentricity are not so very different on the two sides of the Atlantic.

But what will it avail us to be physically sound and mentally sane if we are morally corrupt? Upon this point all our critics, friendly or unfriendly, chant an alleluiah chorus in absolute unison. American lawlessness, American disrespect for authority, the corruption of our politics, the looseness of our marriage ties—all are matters of world-wide notoriety, but somehow they do not seem to get into the police records, for our average of criminality even

in the best policed and reported districts is seldom higher than that of any corresponding European district and in certain trivial eccentricities, such as wife beating, ill treating children, drunkenness, etc., far below that of any European community of corresponding class. Of course, we have less than one-tenth of the number of paupers and dependents, but that is no fault of ours. Our virgin soil and our fierce determination to be rich at all hazards have automatically protected us against this defect without any special intention on our part.

However, even if the nemesis of physical degeneracy have not overtaken this generation, we are all agreed that it will the next. Everybody knows that the American child is spindle-shanked, pasty-faced and a bundle of nerves, because he eats too much candy and sweets, sits up till all hours, and gets no family discipline to speak of. There is where Nature is going to catch us!

Some years ago a fool physician who "rushed in where angels fear to tread" had the "nerve" to begin weighing, testing chest expansion and measuring room after room of American school children and classifying them according to their nationality, their parentage and descent. We have now some scores of thousands of such measurements, and they show that the native-born American child certainly has spindled to the extent of growing from three-fourths of an inch to one and one-half inches taller than the school children of the same or corresponding social class in most European countries. He has also, by his habit of living largely upon candy and chewing gum, got ahead of little John, Max and Jean by from three to twelve pounds at all ages, and his notorious oratorical powers have extended his chest to a superior degree of expansion. Any doubt as to the same peculiarity in our American yardsticks and scales was dissipated by the further comparison which showed an almost equal superiority of all children born in America over those of any nationality of foreign birth with the partial exception of the Norwegian and certain German children. A step further showed that the second generation American school children, that is, those born of American-born parents were again above the average in both height, weight and chest measurement of all American born, and that those which were three generations or more in America had a still higher average.

More interesting yet, the great scholarship and mental develop-

ment of all these classes of children followed an almost absolute parallel course with their size and weight. Apparently we need not worry about race degeneration among the children. We had better be considering what is going to happen to us when they grow up and come into competition with us. In the words of Patrick Henry: "If this be American race degeneracy, let us make the best of it!"

ESTABLISHMENT OF A NATIONAL CHILDREN'S BUREAU

BY HON. HERBERT PARSONS,
Member of Congress from New York.

As part of the discussion on "Influence of City Environment on National Life and Vigor" there has been assigned to me as subject, "The Relation of the Federal Government to Race Improvement, With Special Reference to the Establishment of a Children's Bureau." This assignment was made because, at the request of the National Child Labor Committee, I had the privilege of introducing in the Sixtieth Congress a bill to provide for a children's bureau under the Department of the Interior.

The bill provided that the proposed bureau should investigate and report upon all matters pertaining to the welfare of children and child-life, and should especially investigate the following questions: Infant mortality; the birth rate; physical degeneracy; orphanage; juvenile delinquency and juvenile courts; desertion and illegitimacy; dangerous occupations; accidents and diseases of the children of the working classes; employment; legislation affecting children in the several states and territories, and such other facts as have a bearing upon the health, efficiency, character and training of children. In effect, the object of the bill was to provide a central bureau of publicity and investigation in regard to matters peculiarly affecting child-life.

The extent to which the Federal Government can legislate in regard to the welfare of children is limited. Except as to the District of Columbia and the territories it has nothing to do with legislation directly affecting infant mortality, the birth rate, physical degeneracy, orphanage, juvenile delinquency and juvenile courts, and desertion and illegitimacy. There is a dispute as to its constitutional power to legislate in regard to child labor. The future may see a gradual and great extension of federal power. Such I believe to be inevitable as well as desirable. The country, though large, is by means of communication so closely knit together that in many

things state lines are a hindrance and state legislation an obstacle to achieving results.

The processes of time will bring about changes, so that those things that for effective results will require federal legislation will receive it. Plenty of subjects will still be left to engage the attention of state legislators. Under that extension of federal power much social legislation will take place. Perhaps some of it will deal with the question of child labor. But that may seem too far distant for present-day consideration. If, then, the Federal Government is not now to legislate directly on child labor there is one thing that it directly can do by legislation, and that is to establish a children's bureau as a bureau of information on and investigation of the subject of child labor as well as other subjects relating to the health and welfare of children.

At the last census 44.3 per cent. of our population were under twenty years of age; of those, 1,916,892 were under one year of age, 7,253,736 were from one to four years of age, 8,874,123 were from five to nine years of age, 8,080,234 were from ten to fourteen years of age. Of these children there were in cities with over 25,000 inhabitants 2,054,790 under five years of age, 1,989,341 from five to nine years of age, 1,772,883 from ten to fourteen years of age, a total of children in such cities under fifteen years of age of 5,817,014. The effect of city life on children is, therefore, one of the largest items to be considered in the discussion of the influence of city environment on national life and vigor. The city population is, as all know, steadily increasing in proportion to the country population.

This children's bureau would directly deal with information in regard to the welfare of children in cities. Most of its objects relate more to city than to country conditions. It recognizes the fact, so often stated, that the problem of the city is the problem of the future. Vast as the city problems are, they should enthuse and not discourage us. The greatness of the need of service in solving them measures the greatness of the service in the solution of them. The difficulties of the problem call upon all that is ablest and nerviest in man. I have never forgotten the remark that I once heard Phillips Brooks make, namely: That we should not complain that it was hard to do right, because the harder it was to do right the more worth while it was. That principle applies

to many things. As a Representative in Congress from the City of New York I have taken an additional pride in this bill for a children's bureau because it will have so much to do with the solution of city problems. What are some of these city problems with which it will deal?

Infant mortality is one of them. Frequently we forget the degree of it. According to the report of the Census Bureau on Mortality Statistics for 1906, there were in the registration area, which now covers about half of our population, mainly cities, 212,138 deaths of children under fifteen years of age, but of these 133,105 were of infants under one year of age. They formed twenty per cent. of the deaths of those of all ages. They were in average three times as many as those of children under five years and forty times as many as those of children from five to fourteen years of age. They were greater in cities than in the country at large. Such detailed investigations as have been made of infant mortality show that it is in considerable degree related to housing conditions in cities. In Berlin some time ago an investigation was made of 2711 infantile deaths. Of them 1792 occurred in one-room apartments, 754 in two-room apartments, 122 in three-room apartments, and 43 only in four-room apartments and over. The results of the Berlin investigation as to infantile mortality are confirmed by investigations as to general mortality made in Glasgow, Budapest and Washington.

Another subject that is enumerated in the bill and one that is synonymous with the topic of this volume is that of physical degeneracy. The report recently made by the Committee on the Physical Welfare of School Children in New York City says, as to the result of its investigation of the home conditions of 1400 school children, that "physical defects must be expected in children where three out of four families have four rooms or less for cooking, working, washing, sleeping"; that "if New York school children are typical of school children in the United States there must be in the schools of this country 12,000,000 children having physical defects more or less serious that should receive attention from parents and family physicians." In Washington a somewhat similar investigation was made by the Homes Commission appointed by President Roosevelt. The commission reported that out of the 43,005 pupils investigated 28.2 per cent. of the colored children had de-

fects, that 38.9 of the white children had defects, and that there were 20 per cent. of all the children "whose physical condition should be a matter of grave concern to the parents."

Those who know assert that one-quarter of all the blind children in all the blind schools of this country are unnecessarily blind. Any bureau that can give publicity to this fact, the reasons for it and the way to avoid such an unnecessary injury is worth while.

Dangerous occupations is another subject enumerated in this bill. Mr. Edwin W. DeLeon, who is first vice-president of the Casualty Company of America, and has for that reason had peculiar means of information on this subject, has repeatedly called attention to the need of publicity in regard to it, believing, as he does, that the strong public sentiment that publicity will create will tend to ameliorate these conditions. Only a few states, as I am informed, give the ages of those who are injured in accidents. Michigan is one of these states, and its last report shows that accidents to children sixteen years of age and under who came under the occupations reported were 1100 per cent. more in proportion than occurred to children and grown people over that age. In Indiana the percentage of accidents to them was 400 per cent. greater in proportion. Should these facts be centrally and, therefore, easily obtainable, then the publicity that would ensue would lead to legislation by the states that would end the horror.

There is in the bill the general subject of the employment of children. It is admitted by all that the labor of children in cities is very different in its physical effects from the labor of children in the country. On the subject generally, President Roosevelt's Homes Commission, which I referred to before, concluded that "the average boy at the age of fourteen possesses about one-half the muscular strength of an average adult between thirty-five and forty years of age. As a consequence of imperfect muscular development it is not surprising that a large percentage of young persons engaged in workshops, factories or, even, at the writing desk or merchant's counter develop lateral curvature of the spine and other muscular deformities, not to mention general weakness and predisposition to rickets, tuberculosis and other pulmonary diseases." An investigation in England for the purpose of making comparison between boys belonging to the non-laboring class and boys belonging to the artisan class showed that at thirteen years of

age those of the non-laboring class averaged 2.66 of an inch greater height than those in the artisan class, and that this difference had increased at sixteen years of age to a difference of 3.47 of an inch. In weight the difference in favor of the non-laboring class of boys advanced from 10.33 pounds at thirteen years to 19.64 pounds at sixteen. Chest girth measurements showed similar differences in favor of the boys of the non-laboring class.

On the general subject of child labor it is unnecessary for me to enter, as its evils have been recognized almost everywhere. It is not sufficient, however, that those evils should have publicity now. Nor should the burden of keeping public opinion alive be placed upon a voluntary association. Publicity will keep public opinion alive and that publicity should come from government sources.

A few objections have been made to the bill. It is claimed by some that other departments do or can do the work, and allusion is made to the Bureau of Education, the Bureau of Labor and the Census Bureau. But the heads of all those bureaus favor the bill and allege that it will not mean a duplication of work and that the ends sought are eminently desirable.

In Congress it has been argued in the past that the Census Office can make investigations such as this bureau might see fit to make, but the distinction has been made clear, namely, that the Census Bureau can only do quantitative work and that intensive work must be done by investigators trained in that line, which requires somewhat different training from that which fits census investigators for their work. With the heads of the other divisions of the government to which this work might be allotted favoring this separate bureau, the bill ultimately should become a law. It was introduced late in the last Congress and was reported in both the Senate and House. It has already been introduced in the Sixty-first Congress. It should receive consideration early at the regular session commencing next December. I believe that the bureau, just because it will publish and investigate matters as to which legislation must be other than federal, will be of enormous assistance to localities and states. Rapidly growing communities, moreover, that wish so far as they can to diminish the evils that are incident to city life would be able to act forehandedly with the information that this bureau could supply. A large corpora-

tion developing a community of its own and wishing to plan it on most approved lines could here get information that to get now it would have to employ an expert to make many extended investigations. Chances to compare notes, still better, the opportunity of seeing the notes compared, are a great aid to progress. Publicity in matters governmental is as effective as sunshine in behalf of health. It is curious how quickly the public responds in behalf of the correction of evils that are made public, nor does it matter if they relate to things which are somewhat remote in their effect. The lawyer's case is half won by his ability to state it clearly. In legislative bodies the most effective oratory is frequently that which is a mere statement of facts. This bureau will do much of the work that can be done by clear presentation of facts.

Progress is slow in some ways. It is often difficult to raise enthusiasm as to a matter for which immediate great results cannot be claimed. How immediate and how great the results from a federal children's bureau would be I cannot say. Fortunately, however, it touches the sympathies of so many people that the demand for it is an easy one to make. Finally, while it may not be simple to say what the bureau would accomplish directly, we can say that what it would accomplish indirectly the imagination cannot encompass.

CITY DETERIORATION AND THE NEED OF CITY SURVEY

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I.

In attempting to deal with the great problem here placed before me, my first impulse has been to treat it in the abstract fashion suggested not only by the name of an Academy, but by the prevalent mental attitude of the student of political and social science as we have him on this side at any rate. But on reflection I see that such conclusions on the subject set before me as I have reached—say rather such inquiries as I am wont to prosecute—can be far more satisfactorily stated if something of their concrete origins and their individual development be at first clearly expressed. I therefore venture to make this paper primarily a statement of some of my own experiences of cities.

My earliest impressions of a city throughout childhood and youth were fortunately synoptic outlooks in the most literal sense, and thus so far anticipated, no doubt initially determined, the conception I have been seeking ever since, and in many countries, to elaborate, that of the Survey of Cities—the correlation of concrete observation in many aspects, with general views from distinctive points, and this for city by city, and in region after region. My home was on the hill-slope above Perth, and its windows and tree-tops, and still more the walks over moor and through wood above, and from crofts and cliff-edges to southward, gave an ever-delightful variety of impressions, near enough for detail, yet broad enough for picture. Clear as on a map, just at the tidal and navigable limit of its river lies the city, neatly bounded between two ancient parks, the grassy “Inches,” which run back from the river on either hand. It is on the right bank, with its “Bridge-End” on the left, a quarter poor and depressed at its ancient center, the start of the medieval bridge, but this largely screened out of sight and mind since the building of its stately eighteenth century successor by thoroughfares

at a higher level along to pleasant old river-lawn houses and up to later hill-side ones. Roads, still of country type, converge upon the town from all sides, still keeping much of their country beauty, while for the daily passages along the noble bridge there opens a choice of views immediate and remote: here the clear swift river, with salmon nesting among the pebbles, and yonder Birnam Hill and the distant mountains, now snowy against gray skies, or blue upon the sunset—the scene of which Ruskin has written so admirably, and to which “Modern Painters” plainly owes so much.

A small but distinct “New Town” akin to that of Edinburgh, and of the same late eighteenth century type, encloses the historic city, and cuts its modern streets parallel to the river; so that even its old High Street, though still busy, has for the most part long fallen into the second rank, and its companion thoroughfares, the spacious and the tortuous alike, into third and fourth-rate condition, with vennels and alleys known indeed from occasional boyish visits, but in which wonder passed into contempt and disgust more easily than pity. This middle-class aloofness which such “new towns” have so generally developed—in fact a notable element in that deterioration of old towns which is a great part of our European problem, and an approaching one in America—was further accented, here as largely elsewhere, by the presence in the most squalid quarter of a large proportion of immigrant Irish, who have been kept separated from their neighbors by their irregular and unskilled employment with its attendant evils, as also by their traditions and their faith, all unfortunately, yet inevitably, associated in the prevalent Scottish ideas of them. “Deserving poverty,” as of “widows belonging to the congregation,” formed another category of poverty altogether—what in later life one comes to understand as “C. O. S. principles” thus seeming established in the very nature of things. Presbyterian traditions have admittedly democratic advantages; and I can testify from repeated eye-witness that Lorimer’s well-known picture, “An Ordination of Elders,” with its varied types of plain everyday working-folk, each deeply spiritualized, is a sociological document as true to life as are the more generally known presentments of the Breton “Pardon.” From the joiner’s workshop, from nature-collections and the like, one came to know something also of the practical and intellectual élite which are still happily not infrequent in the ranks of Scottish labor. Still, the class-stratification

and class-feeling so characteristic of the English town have also too largely penetrated Scottish ones; and this class-difference found its boyish outlet in the class-quarrel of schools, which kept us of the academy silently apart from boys of other schools, save when this separation could be actively expressed in snow-time, in battles often Homeric. Another deteriorative element then—in that class-separation from childhood, which is a main curse of British education.

Under such circumstances the knowledge and the love of the city as a place naturally developed altogether beyond any interest in the city as a community; so that, despite all the happy associations of "Perth," the phrase "the Perth people" comes back in my mind as a term colorless, abstract, faintly expressing what I came later to know of them in their statistical and political aspect. I think I fairly understand my friends and contemporaries, their writings and points of view, professional or retired, legal or administrative, political or economic; but I increasingly wonder whether at bottom they are not persisting in limitations akin to those of my boyhood, rather than generalizing a riper experience, later, more human and more social. I wonder whether even the would-be scientific mood of the sociologist as I have generally known him, his detachment, his general principles, be not too largely derived from some such aloofness from his city's life, in fact a persistence of that blank unconsciousness of citizenship which is still in the ordinary upbringing of the middle-class juvenile? Is not this in fact also the main limitation of the "classical political economy"—that it has been *middle-classical*?

As naturalist and as teacher I now know how the boyish life of nature-study experience, of cliff and quarry, of garden and woods, of brook and pond, and the alternation of interest in their detail with that of widening landscape were the right preparation for later scientific studies of mineralogy and geology, botany and zoology, and thence for geography as the concrete synthesis of the sciences. I know, too, how the same concrete experiences undergo a further development, a maturer and deeper digestion of mind, and so give rise to such general ideas, morphological or ecological, evolutionary and philosophical as one may attain to. But while this two-fold experience, this development of one's ideas in concrete and in abstract science alike from nature study is a commonplace to every brother biologist, since his own essentially

matches it, I do not find this in anything like the same degree among my brethren of the sociological world. For them "Society" is what they commonly describe as the essential field and problem of their studies; and upon this they will all admit that the laws and theories of general biology have some bearing. Very few, however, take much interest in the actual societies of the regional geographer, still less of the local observer, or adequately realize that the ways of the field naturalist have to be taken over by the field sociologist. For the anthropologist, since Mr. Spencer's day, they have a certain respect, since the anecdotic and illustrative detail he so generously furnishes has often comparative bearings. This openness to the comparative method no doubt redeems the sociologist from the charge of mere abstractness—of being merely "metaphysical" in Comte's sense—yet it also shows that the "Society" he studies, like the "Human Nature," "Population," "Labor," "Market Production," or the like, which the political economist analyzes out from this, is at best a very vaguely generalized term—one essentially denoting, when we seek to give it back its concrete content, the mass or the average of the civilized communities of our own age, and of these seen predominantly in their urban aspect. But this content is given, and far more concretely, by the term *Occident*. For the politician or the publicist (unless of some exceptional type, pacific, esperantist or the like) this concept is commonly practically absent, his own nation and its civilization supplying its place—a limitation so far, but with a compensation which gives him much of his power and effectiveness within his limits. For here at length we have some one who thinks of a concrete and definite and particular city, since for him his metropolis, imperial, national, or regional, is coming constantly into focus. In the immediate margin of consciousness its foreign rivals may alone vividly appear; but in the background of even the most political of minds, the minor cities and even their "provinces," "counties" or otherwise exploited regions or states are never completely absent; while the administrator acquires his predominance through being the organ of the metropolis, controlling, governing and educating its subject regions and cities, or inhibiting, exploiting and so on, as the case may be. Even for this comparatively concrete stage and outlook, however, studies of special cities remain at a discount, and even in university cities throughout the British isles or empire the only regional studies which as yet attain any canonical

interest are of naturalistic character. Even local history, though frequently linking up with archeology and something of the dignity of the geologic past, is but rarely understood as the actual root stock of contemporary growths, still less as the very seed-field of social inheritances, which may be latent or reappear in a new generation, and this for good or evil, much as do organic ones.

Our old city had no lack of historic memories, though these were too little taught us. We knew indeed something of its Roman origins, and a story of Danish invasion and defeat. But for Scottish boys Edward I, Wallace and Bruce are the first really vivid historic personages, and too often the last. Sir Walter's "Fair Maid of Perth," however, has spread its romantic interest over the essential points of his story. The old city had been the capital of Scotland until the murder of King James I caused its removal to Edinburgh; after which, save for the Gowrie conspiracy, which every history of James VI and I makes so familiar, our annals practically ended. The great medieval church, partitioned since Reformation days into three sufficient parish ones, had lost meaning and interest beyond these; Greyfriars or Blackfriars were but street names, and so on; we supposed, as people do still "for practical purposes," that all this old history was dead. What has this modern county town, with its active agricultural interests and markets, its special industries, of dyeing for the most part, and its large through railway traffic, to do with its ancient history?

If, however, the reader will turn to any history, or even guide-book, of London, he may vividly see the Celtic dun or hill-fort succeeded by the Roman altar, this by the Christian church and at length by St. Paul's Cathedral, in its Medieval and its Renaissance forms; and then unmistakably to its modern uses and disuses. Similarly he may read of Westminster as the lowest Thames ford, the primitive trade-crossing, therefore, before it became a monkish isle, or this a royal palace. He will see how the building of London Bridge downstream necessarily drew off to it all the crossing trade and kept for it all the shipping; and so he will realize more clearly the specializing of Westminster as legislative and administrative capital of empire, and as spiritual center of yet wider appeal, as compared with the growth of London, still as of old the mercantile and financial city. Similarly if we motor out to see the country, our chauffeur will guide us along ancient roads and hunting parks

and over prehistoric commons. Now if such geographic and historic conditions of the remotest past have plainly determined, and thus still determine, this vastest and in some ways most complex and heterogeneous of human aggregates, and this in such detail that Londonography has its innumerable monographs and libraries, its societies, its lectures by the dozen, should not these geographic and historic factors be even more obvious in less grown and less modified cities? So it is when we return from Thames to Tay.

Above the bridge of Perth it is a short and easy hour's walk to the old ford of Scone, with its once royal palace hard by. Its abbey has vanished, but its ancient crowning stone, removed at the brief conquest of Edward I to Westminster, lies, as every visitor to the abbey knows, in the coronation chair; and thus not only came to mark the difference between the pacific and mutually respecting union of Scotland with England and her tragic relations to Ireland, but potently helped the Scot to accept this pacific union.

In a word, then, Thamesford and Thamesbridge, Tayford and Taybridge have become Westminster and London, Scone and Perth. These parallel origins have stamped upon all these their respective and broadly parallel histories; and with these, and here is the relevancy of all this discussion, their respective social functions and character, their psychology also. In a word, then, the qualities and the defects of each community are to be judged, not simply by a contemporary survey, but primarily by a geographic and historic one. For lack of this it is that Mr. Booth's vastest of civic monographs—his *"Life and Labour of the People of London"*—despite its admirable intention and spirit, its manifold collaboration, its accurate and laborious detail, its mapping of every house, has thrown after all so little light upon the foggy labyrinth.

II.

We now once more for a moment return to Perth; and there, hard by the modern railway station, we find the Roman "Pomarium," still a street name. We even see near by the apple-trees, and this no mere coincidence, for the row of houses where they most abound still keeps, some say since medieval times, its appropriate name of "Paradise!" But instead of going on here to further knowledge of the mingled good and evil which this modern town inherits from its environment and life-conduct in the past, let us rather select the

more difficult but more important case of the larger industrial city. For this purpose I can choose none more characteristic or more convenient than the seaport of the lower Tay, Dundee, whose rise in manufactures and population, as it became specialized as the central world market of jute industries throughout the past generation, is not only within its own living memory, but historically arose from a definite consequence of the American Civil War, with the resultant scarcity of cotton, and the vast market for jute which was thus opened. In any survey of the social condition of Dundee this staple industry is therefore the central problem—what need of going further back? What can local geography and history have to say to these present conditions, of an industry which brings its material from India and sends its product everywhere, from China to Peru? The social evils of the town are neither few nor small, in fact it has a tragic pre-eminence alike amongst Scottish cities and manufacturing ones generally. Of all industrial towns it has the largest proportion of working women and children and the smallest of working men. With this it has also the utmost irregularity of employment, since good times or bad throughout the world must swiftly react upon the length of jute required to pack or bag its varying quantity of production. To all these miseries add the ever-growing competition of Calcutta, where Dundee capital, machinery and skill have long been building up an increasingly formidable rivalry. So now Dundee unmistakably shows the dramatic point in the whole occidental world, where oriental competition is telling most heavily, and to which, therefore, the attention of economists and of statesmen, were these as yet adequately awake to such local problems, and to their importance as clues to more general developments, might with advantage be much more thoroughly directed. Assuming such economists, such statesmen to arise, and to grapple with these industrial and commercial problems, how impatient would they not be of the mere student of local geography and history, still more if he should venture to tell them, even after their Jute Trade Commission, that they were still largely failing to interpret the situation, failing correspondingly, too, to see the full possibilities of treatment of it, and all this for lack of inquiries into conditions far earlier than the present industrial ones, overpoweringly predominant though these now are? Yet if the gentle reader will again glance at his atlas and gazetteer, and look at our maritime situation

upon one of the few great fiords of the east coast, he will see that beyond this maritime situation it has grave disadvantages, some past and some present.

The river has a bar, while the open Forth is near. Fife, too, had its many ports, and Perth its own shipping; Montrose and Aberdeen were not far away, and even the inland agricultural valley of Strathmore is no true hinterland, but separated by a range of hills even now but little traversed. It is plainly a place, therefore, which has long had to accustom itself to distant markets, to emigration also.

With these disadvantages, however, have been associated an old excellence in shipbuilding,¹ which has been very naturally shared with Aberdeen; so that from these two towns, especially until the days of steam and iron, there came those famous tea-clippers of the British trade with Canton, whose annual race home with the best of the new season's crop was long one of the most notable events of the London commercial world, since combining business, speculation and sport in a way dear to the Englishman. It is thus a case of that social filiation we are tracing that our best known British yachtsman, whose endeavors to recover the international championship have so often brought his name before Americans should be a leading tea merchant of Glasgow and London. The widespread deterioration of business into sport, and often into gambling might also be considered here.

But as the yacht is of to-day so was the tea-clipper but of yesterday: and we must now go back to an older and slower, but not less seaworthy type of craft, the old-fashioned whaler, whose annual voyage to the Arctic seas is still characteristic of Dundee, though now only a single ship may go to Davis Straits or the like where a fleet was lately wont to sail together. In old time, records tell us, it was the Biscayans who led in whaling, and later those hardy mariners of Dieppe, whose fleur-de-lis still marks the north even for the British compass card. By and by, as the whale became practically extinct in the North Sea, the center of the most difficult and dangerous of maritime enterprises moved northward to Dundee,

¹As I write this, I learn that the Austrian Government has just carried off a picked squad of forty of our shipbuilding workmen with their necessary laborers, to the navy yard at Trieste to train their workmen there. Thus though for many reasons the Clyde is prevailing over the Tay, it is evidently not our workmen who are to blame. And here in fact is the old Viking life of shipbuilding and emigration, with both elements still in progress together.

and seems even now passing to Shetland and Lofoten, soon no doubt to disappear altogether. Little reflection is needed to see how hardy and enduring, how strenuous and observant, how cautious yet how bold, must be the type of mariner whom these voyages call for and train; and—what is the point for our present purpose—how fitted is this type of mind and character, on its return with varying fortunes, yet on the whole with comparative wealth, to the ordinary community during every winter, and mixing with the townsfolk at leisure, and on terms of no common authority—to set its stamp upon the general outlook, if not even determine the mental atmosphere of the town. Here in fact are the conditions of nurture for what is perhaps the very strongest and most virile variety of the “canny Scot” which the business world has so often had good reason to mistake for the Scot in general, steady, vigilant, foreseeing, adventurous, decisive, he does not wait on fortune, but pursues her boldly, if need be even with his harpoon. Here then lies no small element in Scottish business enterprise and surely in that of New England also.

But our Dundee manufacturers, it will be said, are jute spinners and weavers, not whale fishers. True, but these jute weavers of to-day were linen weavers of old; and until steam displaced sail this district led in sailcloth weaving for the navy as well as the mercantile marine, and still makes the tentcloth for war. How this association of weaver and sailor is expressed not only in goods but in men, how these types in fact are akin in every sense, may be illustrated by the contemporary detail that one of our largest manufacturers of to-day, who still leads in sailcloth and tentcloth as well as in jute, has succeeded a father who was at the same time Gladstone’s naval minister. This seems a mere accident when viewed from without, but is a normal instance of our social structure seen from within. So the added fact that the latest British naval magnate who retired with a peerage, said to be well earned as such things go, was again a Dundonian, may appear mere coincidence. Yet the least degree of local familiarity² will be found to justify and strengthen the impression here suggested. This, briefly restated, is the interpretation of the essential qualities and defects of this particular city in terms not merely of its present predominant manufacture to which the usual type of social survey at its best refers us, but, below

²Thus our nearest territorial magnate owes his earldom and estate of “Camperdown,” to the victory of his grandsire, Admiral Duncan, over the Dutch.

this, in terms of the long character-forming age of whale fishing, and thus in fact of the dominant Viking stock.³

To this in fact we owe not only our major industries directly, as of shipbuilding and sailcloth, and thence to finer linens, to jute sacking and carpets, but also our minor ones. This jute itself till lately came in great four-masters by a six-months' voyage from India. The same Viking enterprise brings us the Hesperidian fruit we transform into the orange marmalade which is our city's fame, so that you not only find it on every British breakfast table, but even as "*Dondée*" on the dessert list of your Paris restaurant. Most curious of our local industries under this gray sky, but in some measure also of kindred development, is photography. For here has been, for a generation at least, one of the largest and certainly also one of the best centers of landscape photography, sending out its experts throughout the world, printing their negatives in a huge factory here, and exporting the product back to the place of its origin. Is not even this the Viking lookout in a new and cultured form? The corresponding interest exists in landscape painting, but not in architecture nor sculpture, arts as yet unknown to Viking peoples. The city, save for the massive fourteenth century church tower of which Emerson speaks in his "*English Traits*," has few architectural attractions. The beauties of the great Hanseatic cities have inland origins; and such picturesqueness as Norse or Scottish maritime towns and cities may and do sometimes possess is more due to accident, age and irregularity of grouping than to design. Hence, though our modern Vikings, the manufacturers, have endowed and established a university college during the past quarter century, and this in some respects not ungenerously, the heterogeneous buildings dotted over our spacious campus are the jetsam of six or seven separate architects, good, bad and indifferent; while under this Viking régime, the writer, as botanist and college gardener, as would-be city improver also, is naturally afforded the most ample leisure to be found in the professorial world to console himself for the small result of his rustic preachings, his floral ministrations, by thus working out the sociological explanation of it. On the other hand, that the Antarctic exploration movement of the past

³For a very forcible statement of the qualities and achievements of this North Sea fisher type, see De Tourville's *Growth of European Nations*, translated by M. Loch. Sonnenschein, 1909. Also "*La Science Sociale*" (*passim*) and the various works of M. Edmund Demolins.

decade should have been initiated from here half a generation ago,⁴ that our zoological museum should be of the best, or that the American-Canadian seal arbitrations of past years or International North Sea Fisheries Commission of the present should here find the working expert—all these are natural and intelligible, rational because regional.

That such a study of the evolution of local qualities is the needful preliminary to the corresponding interpretation of social defects has now to be more fully shown. That misery of labor, and particularly of woman, which makes Dundee the very hades of the industrial world, and of which the consequences and aggravations, in bad housing, in disease and mortality bills both of adults and of infants, and in those terrible returns of insanity, vice and crime which are the disgrace of Scotland among the sister kingdoms and in the civilized world, are all here met with a degree of apathy of the prosperous and directing classes and of the working people alike which is so much marked beyond other towns known to me either at present or from history, as to demand an explanation and invite a corresponding special inquiry. The explanation has no doubt several factors. Thus the utilitarian philosophy, the so-called orthodox political economy, is very largely a regional product, for the essential thought of Adam Smith, of the two Mills and of Bain is as typical an expression of this East Coast as are Scott's romances of the Border. Such philosophy of life is only consciously taught from above after it has arisen in and from the general life below, and so is most dominant in those minds and lives which have never consciously given it a thought, much less read a word of it. Behind this, too, is the old callousness of the conquering Viking to the condition of the defeated and uprooted Celt; again of course not at all conscious, but all the more terrible, since for ages practically an instinct of each new governing class in its turn. But the people, the women workers, here so often barefoot and disheveled, stunted and starveling, beyond those of other manufacturing cities, have they lost all spirit and hope? There are moments at which it might seem not so, but active energies too readily pass off, sometimes to explode in Mænadie scenes on Saturday night, at New Year, or between times also; thus in the main the spirit of our city sits impassive, a saddened and silent crone, in sullen acceptance of what seem

⁴Cf. W. S. Bruce, *Oceanographical Laboratory*, Edinburgh, and W. G. Burn Murdoch's, *From Edinburgh to the Antarctic*, 1895.

falling fortunes. Whence then this mood of passive fatalism, so strange a contrast to the confident utilitarianism so normal to Viking enterprise? Is this not first the development throughout the years, and then the persistence through life, of the stoic endurance necessary to all fisher-folk, but above all to the women of a whale-fishing community who for generations have had to learn the hard lesson of starving along as patiently as they could, and to teach this to their children? At the return of the whale fishers of old, as with busy times to-day, an improvident revel is thus natural enough—but so is its nemesis in turn; and thus at length we reach the explanation of that condition of Dundee which is detailed in the recent and easily accessible report of the Dundee Social Union,⁵ which takes its place along with the better known volumes of Charles Booth for London, of Sherwell for Edinburgh, Rowntree for York, and Marr for Manchester, but which is, alas, the most tragic and least hopeful of them all. Hence its copious and forcible reviewing in the London and English press, and with such vigor as for a brief season to stir the local apathy, though this soon resumed the even tenor of its downward way.

Yet even with this outline analysis of past and present such a contrast as that of Dundee with Aberdeen is not exhausted. For here are two neighboring cities of similar population and racial contrast and admixture, and in comparative neighborhood upon the North Sea; yet the latter, though not without its drawbacks, is probably upon the whole the most advanced of the regional capitals of Great Britain, just as the former is in too many ways one of the backward and depressed. One great historic contrast is prominent; Aberdeen has had comparative peace throughout its existence; it remembers only one great battle, with the Highlanders at “the red Harlaw” in the fifteenth century, and that victorious. Whereas Dundee has known defeat and sack, massacre and destruction, and not once only, but again and again, from the Edwardian wars at the close of the thirteenth century, elsewhere the golden age of citizenship, and thence on to the frightful bombardment and sack which marked the Cromwellian conquest under General Monk, and with minor losses thereafter also. The silent misery of Dundee, and doubtless the squalor of old Edinburgh also, has thus been derived

⁵*Report on Housing and Industrial Conditions in Dundee, and Medical Inspection of School Children.* By Miss M. A. Walker and Miss Mona Wilson. Dundee: Leng & Co., 1905.

in part from their exposure to some of those ruthless waves of conquest which have gone so long and so thoroughly over Ireland, and of which the resultant passive mood has as plainly passed below memory into dulled instinct and habit, as does the active mood, still recurrent in the Irishman, into protest or policy. Where the local patriciate has been exterminated once and again, the heads and flower of families slain, the women in every sense ruined, that community, that city, as history shows, may too often need centuries to recover. That such cities do recover, contemporary Germany bears witness; but her cities still speak of themselves as only recovering in this generation of ours from the Thirty Years' War nine generations ago.

Viking conditions produce but small literary output; and as for the poor Celt, he reads his newspaper, but no longer sings; he has been through the board-schools of memory, so no longer remembers nor thinks. Dundee, with a population five or six times greater than that of Perth, has fewer booksellers, and these with smaller aggregate business; but an abundant and well-diffused weekly press, not only innocuous as such literature goes, but fairly strong in a vein of local color, rustic rather than urban, and of domestic sentiment, of which J. M. Barrie's pleasing writings may be taken as the characteristic blossom. The real expression of Dundee in literature, that of its essential tragedy, of the industrial and even earlier depression of woman, I take to be the "Song of the Shirt," and this not only as symbol, but in fact. For here Tom Hood, whose name and kindred are still with us, and whose first writings appeared in our local press, spent two or three unhappy formative years of adolescence, and thus must have first laid in those impressions of the misery of the woman worker, which he had of course opportunity of elaborating in his maturer life in London. Our few figure painters, too, have in the main the kindred tragic note, which indeed seems inevitable in our day along with observing and interpreting powers in any form.

III.

Our survey is still far from ended; and, as becomes the theme set me, its darker side has been the more prominent, so that some of the specific conditions both past and present which have made for deterioration in this particular example of town life should be made plain.

I am well aware that these historic examples from Scotland do not fit to any American city, though it has always seemed to me there is plenty of work for the historical observer and interpreter in America too. My whole point has been to insist upon the necessity of a local and Regional Survey of geographic and historic conditions, and of the resultant social qualities and defects together, as complementary, as interchangeable so far also. I plead that sociologists must labor like geological and ecological surveyors, and this over the length and breadth of their lands, and of the world, and must thence educe conclusions which may be the start point for fresh comparisons. In this task it is better to begin with the smaller and simpler cities, not the greater and complexer; hence I have chosen Perth and Dundee rather than Edinburgh and Glasgow, Paris and London; and I see I might have made my points clearer had I chosen simpler and smaller cities, younger ones also.

In adopting this treatment I am not denying the possibility of a more general and more comprehensive grasp of city problems; but I do strongly plead that this should follow, not precede, a survey, an intimate personal knowledge of many cities. As an indication of this more general method of treatment, I may be permitted to refer to my various papers on Civics in the three volumes of "*Sociological Papers*," the recent organ of the Sociological Society of London, as also to one or two briefer notes in its present "*Sociological Review*." As an example of complementary practical endeavor my *City Development* (Outlook Tower, Edinburgh, 1904) may be indicated. As convener of the "*Cities Committee*" of the Sociological Society, I shall be glad to hear from any who may be interested in that necessary, and I doubt not approaching, Survey of Cities in which it is our ambition to take an active part.

PART THREE

*Obstacles to Race Progress in the
United States*

THE SIGNIFICANCE OF THE DECREASING PROPORTION OF
CHILDREN

BY W. S. ROSSITER,

CHIEF CLERK OF THE UNITED STATES CENSUS

ALCOHOLISM AS A CAUSE OF INSANITY

BY CHARLES L. DANA, M.D.,

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THE IMPORTANCE OF THE ENFORCEMENT OF LAW

BY CHAMPE S. ANDREWS, ESQ.,

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THE INVASION OF FAMILY LIFE BY INDUSTRY

BY MRS. FLORENCE KELLEY,

SECRETARY NATIONAL CONSUMERS' LEAGUE, NEW YORK CITY

THE INSTABILITY OF THE FAMILY

BY J. P. LICHTENBERGER, Ph.D.,

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THE MORAL INFLUENCE OF WOMEN IN AMERICAN SOCIETY

BY ETHELBERT DUDLEY WARFIELD, LL.D.,

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THE SIGNIFICANCE OF THE DECREASING PROPORTION OF CHILDREN

BY W. S. ROSSITER,
Chief Clerk of the United States Census.

The period during which population and vital statistics of civilized nations have been available has been too brief to measure the relationship which doubtless exists between the material condition of a nation and increase or decrease of population. Each nation of Europe offers to the student a substantially accurate record of events for more than a thousand years, but statistics of population, even moderately correct, exist but for a century at best, and in some nations for a much shorter period.

In the United States alone will it be possible in succeeding years to trace such relation as exists between the growth and prosperity of the republic and the increase or decrease of population. The beginning of census taking was practically coincident with the establishment of the Federal Government, and should a periodic count of inhabitants continue, as it doubtless will so long as the republic endures, ours will prove to be the only important nation now in existence in which an accurate periodic count of inhabitants has been maintained throughout its entire history.

After the lapse of 110 years of census taking in the United States (from 1790 to 1900) certain well-defined facts have already appeared that are of consequence, since they may indicate influences at work within the social structure of the nation. It is a well-known fact that in the face of generous additions due to immigration the percentage of increase in the aggregate population has steadily diminished; obviously some element of the population has decreased its contribution of births so decidedly as to affect the percentage of total increase though aided by immigration. The returns of the census and the private investigations of leading American statisticians have for many years pointed to the original population element in the United States as the one in which decrease is most pronounced. There is reason to believe that the diminution in the birth rate in this large segment of the population of the

republic has not been arrested, but that it continues in progress. Since the various elements which composed the population of the United States are thus increasing unequally, the statistical problem of greatest importance to the nation is not mere increase in aggregate population, but it is rather what percentages of increase, if any, the various elements,—the distinctly native stock, the native by one generation, the foreign born and the different nationalities of foreign born,—are contributing to the population of the republic.

Unfortunately the Federal Census Office is not able to make a satisfactory response to this question. After the completion of the approaching census it may be possible to prepare a study upon this subject, but thus far the data have been available only in small part.

While this paper cannot, therefore, from the nature of the case deal satisfactorily with the great subject of the significance of diminishing birth rate, attention may be called to certain important facts about to become available through a publication of the Census Office now in press, an abstract of which has already been made public and has aroused much discussion.

The writer, acting under the instruction of the Director of the Census, has attempted in the volume in question to analyze the returns of the first census of the United States in accordance with modern standards of statistical interpretation and to draw from the analysis significant facts, were they found to exist, bearing especially upon the family relationship and the proportion of children to adults. It was found upon a careful examination of the detailed returns of the first census that a surprisingly large amount of statistical material could be derived from the five simple questions incorporated upon the schedules, and as the analysis progressed some of the changes which had occurred during the century proved very striking and significant.

At the first census but one age classification was secured, white males being separated into two groups, those under 16 years of age and those 16 years of age and over. It was obvious that for statistical purposes this single arbitrary age group possessed little value. But it was also evident that it was entirely possible to secure, even to a degree of scientific accuracy, the number of females in the corresponding age groups by instituting tests which should show the degree of uniformity or otherwise of the proportion which the males under 16 years formed of all males at that census as compared

with the succeeding census (1800), when females were also segregated by the two age groups employed for males in 1790. It was found that substantially no variation existed, and this fact was believed to justify an application of the proportion which females under 16 formed of all females in 1800, by states, to the total females by states in 1790. Accordingly such a computation was made, and there can be no doubt of its substantial accuracy.

With a separation thus available of white males and females into two groups, which may be termed children and adults, it is obviously possible to institute certain comparisons in the proportion which these two groups formed at the first census and at the twelfth, taken 110 years later. In 1790 there were 1,553,260 white persons under 16 years of age and 1,619,184 of 16 years of age and over. In 1900 the number was 23,846,810 and 43,046,595, respectively. Thus the number of persons under 16 years apparently increased 1435 per cent., but the number of persons 16 years of age and over increased 2559 per cent., an increase well nigh double that shown for the younger age group. In 1790 the number of white persons under 16 years of age comprised 49 per cent. of the entire white population. In 1900 the white persons in the same age group comprised but 35.6 per cent. of the entire white population. This figure shrinks in some of the states to a proportion as low as 27.5 per cent., or scarcely more than one-quarter, a proportion which is little more than half that formed by young persons in similar localities in 1790.

The question at once presents itself whether a part of the reduction thus shown, based upon the total white population, may not be attributable to the arrival in the last decade of the nineteenth century of great numbers of immigrants, a large proportion of whom were doubtless over 16 years of age. Upon analysis it was found that the influence of generous adult immigration upon the proportions considered had been offset by the higher birth rate among immigrants, and hence that the proportion shown for 1900 had not been materially affected by immigration.

While the increase or decrease in the birth rate at the two census periods, 1790 and 1900, appears to have been the principal factor in determining the proportion above and below the age classification of 16 years, increased longevity is another factor which might be supposed to exert some influence upon the proportion in

the respective classes in 1900 as compared with 1790. The average age of the population has increased materially since 1790 from recognized causes which need not be here specified. It is not probable, however, that the increased longevity has materially affected the percentages shown above. The advance in medical and sanitary skill applies with even greater force to the preservation of infant life than it does to that of adult life. The increase in the average age, indeed, is due in large part to the preservation or prolongation of infant life, since a marked decrease in infant mortality would, of course, promptly affect average longevity.

The most decided changes in 1900 in the proportion of children to adults as compared with the proportion shown in 1790 appear in the New England states. The change is least marked in the Southern states, which have been little affected by immigration during the century and in which the white population has maintained a much larger proportion of increase than in other geographic areas. In 1790 seven out of seventeen states and territories enumerated showed a proportion of more than half the entire white population under 16 years of age, while the lowest proportion shown by any state or territory at that census was that for Maryland, in which state but 45 per cent. of the inhabitants were under 16 years of age. In 1900, however, no state reported a proportion as high as the lowest reported at the first census.

More light is thrown upon this subject by an analysis of the ratio of white adults of self-supporting age to white children. It has been necessary to accept the age of 16 years as a limitation of "children" because of the establishment of that age period at the first census, as already indicated.

The table on page 75 presents the results of such an analysis for each of the censuses from the first to the twelfth.

The striking change here recorded is a practical doubling for the entire white population of the number of adults responsible for the rearing of a child. In other words, in 1790, 780 adults produced and reared 1000 children, but in 1900 the proportion to the same number of children was 1580 adults.

If the analysis here presented is extended to native white children of native parents, a census classification which was made only for the years 1890 and 1900, but which obviously approximates to some degree the element enumerated in 1790, the proportion rises to 1.6 in 1890 and 1.8 in 1900, or 1800 adults to each 1000 children.

In extending the last-mentioned analysis to the various states the investigator is surprised to find that the proportion of adults to children advances in some of the states, especially those of New England, to nearly 3000 adults to each 1000 children.

RATIO OF WHITE ADULTS OF SELF-SUPPORTING AGE TO WHITE CHILDREN.

Census year.	White persons 20 years of age and over.	Ratio of white persons	
		White children under 16 years of age.	20 years of age and over to all white children under 16.
1900.....	37,731,536	23,874,711	1.58
1890.....	30,142,614	20,154,222	1.50
1880.....	22,928,219	16,919,639	1.36
1870.....	17,067,310	13,719,431	1.24
1860.....	13,285,502	11,329,812	1.17
1850.....	9,411,330	8,428,451	1.11
1840.....	6,439,699	6,510,857	0.98
1830.....	¹ 4,620,478	¹ 4,970,210	0.92
1820.....	¹ 3,395,049	¹ 3,843,703	0.88
1810.....	¹ 2,485,176	¹ 2,933,211	0.85
1800.....	¹ 1,832,327	¹ 2,156,201	0.84
1790.....	¹ 1,214,388	¹ 1,553,265	0.78

In comparison with the change thus indicated in the United States from 1790 to 1900, and in particular with the proportions which existed in 1900, it is interesting to observe the similar proportions shown in Europe.

RATIO OF ADULTS OF 20 YEARS OF AGE AND OVER TO CHILDREN UNDER 16 YEARS OF AGE IN THE PRINCIPAL COUNTRIES OF EUROPE.

France	2.4
Ireland	1.8
England	1.7
Italy	1.6
Scotland	1.6
Austria-Hungary	1.5
Germany	1.5

The adult white population of the United States bears the same relation to the younger element of the population as at least two of the European countries, but if the classification be restricted to the reasonably native element—and hence made more comparable with the European figures—the proportion advances to a figure (1.8) which is next to the highest proportion shown for Europe.

¹Minor adjustment of age classifications.

It must be remembered that the term "proportion of adults to children" is merely one method of measuring the fecundity of the population. The census analysis indicates that when a restriction is introduced, such as excluding as far as possible the foreign element, the proportion advances beyond that shown for the population considered as a whole, clearly indicating that the proportion of children to adults tends to decrease as the foreign or immigrant element is stripped away.

There are countless standpoints from which to view this subject. From one it might be claimed that the people of the United States, taking all into account, have concluded that they are only about one-half as well able to rear children—at any rate, without personal sacrifice—under the conditions which prevailed in 1900 as their predecessors proved themselves to be under the conditions which prevailed in 1790. It is possible also to claim that at the period of the first census the simple living characteristic of a new country, the simple wants supplied by neighborhood industries, and the self-dependency of the family due to sparseness of population, all tended toward large families, while at the present time the complexity of living, congestion of population, dependence on foreign help, and especially the innumerable wants fostered by machine-made goods manufactured upon an enormous scale and ever tempting to greater expenditure, all tend toward restriction of size of family.

In general, however, the evident reason for the decline in proportion of children suggested by the foregoing tables is the fact that at the beginning of the nineteenth century a vast continent with its untold resources awaited development and created what might be termed a population hunger. In Europe, at the same time, the rise of unexampled industrial activity produced, though to a lesser degree, a somewhat similar condition, so that in differing proportion population was stimulated upon both continents. The close of the nineteenth century finds the pressing requirement for surplus population practically satisfied and in some instances more than satisfied, both in the United States and Europe. In this country wide variation in the proportion of children native born of native parents to native adults is shown by the various states. The older communities having already acquired dense population, whether urban or rural, resulting in a more severe struggle for existence, show the highest proportion of adults to children, while in the

younger or more sparsely settled states, or in those in which wide opportunity for the individual still exists, the proportion of children to adults is much greater. The reader, however, is cautioned to remember that in the case of states which have been settled within the last half century natives of such states could not exceed 50 years of age. Hence in these communities the younger age periods would naturally be larger in proportion than the older ones, even though the birth rate were no larger in such states than in the older which apparently show the smallest proportion of children to adults.

The analysis of the returns of the first census obviously made one further step possible in comparing the population in 1790 with that in 1900. It became practicable to consider proportion of children from the standpoint of the family. This analysis developed certain equally striking facts. The average size of the white family in 1790 was 5.8 persons. The average size of white families in 1900 was 4.6. The minimum shown by any state in 1790 was 5.4, with a maximum of 6.4. But in 1900 the minimum was 4.1, shown by a number of states, especially in New England, and the maximum shown by any state was but 5.1, or materially less than the lowest average shown in 1790. The number of children under 16 years of age per white family was 2.8 in 1790 as compared with 1.5 in 1900. In the course of a century the number of comparable households in the United States increased more than tenfold, but the number of white children under 16 years of age increased but little more than sixfold.

The ratio in 1790 of nearly 2 children under 16 to each white female 16 years of age and over declined to 1 in 1900. At the census nearest to 1900 the similar ratio in Great Britain was 1.0; in France, 0.8; in the German empire, 1.1, and in Italy, 1.1. Since the United States, although aided by large numbers of immigrants from all parts of the world, is now maintaining a ratio of children to females 16 years of age and over practically the same as that shown by three of the leading nations of Europe, it is clear that population conditions in the republic are tending to become more in harmony with those obtaining in other civilized countries. The proportion shown for 5 of the New England states and for New York is the same, or nearly the same, as the lowest European ratio—that of France.

On the basis of the proportion shown in 1900 there would

have been 884,000 children in 1790 as compared with more than 1,500,000 actually enumerated; on the other hand, on the basis of the proportion shown in 1790 there would have been 39,500,000 children in continental United States at the twelfth census. The number in reality was less than 24 millions. Hence, if the people of the republic were as prolific at the present time as they were 100 years ago there would have been over 15 million more children in the United States in 1900 than were actually reported.

In the preparation of the census report to which reference has been made it early became evident that the facts in relation to the first census required some analysis of the probable increase of the population enumerated in 1790. Accordingly this subject was considered from several points of view, and the conclusion appears to be justified by the facts presented that the white population enumerated in 1790 had increased in 1900 to approximately 35 millions. As the total white population at that census proved to be 67 millions, the weight of the two general white elements—descendants of those who were enumerated in 1790, and those who arrived in the United States after 1790, or their descendants,—was about equal, or 35,000,000 and 32,000,000 respectively.

Most of the evidence within the reach of thoughtful observers tends to prove that the proportion of children contributed by the foreign element is much greater than that contributed by the native stock. The foreign element, though at present slightly smaller than the native element, is probably offering a larger contribution of children to the younger generations, while the 35 millions of native element is at present making a contribution not much more than enough to sustain itself at the figure mentioned. If the Southern states, which have maintained the purity of the original stock and have contributed a large increase decennially, were withdrawn from the total native stock, it is probable that the remainder might even reveal a decrease.

There are three general periods into which the existence of nations may be divided. The creative or hardship period, the mature or enjoyment period, and the decline or vanishing period. Such a division, of course, cannot be made upon any mechanical or sharply defined lines, and a statement of this kind is, indeed, but another way of phrasing the truism that nations, like individuals, pass through successive stages from creation to decay.

Of the three periods mentioned the United States is doubtless already in the second. In the first or formative period of the nation the entire atmosphere was surcharged with self-sacrifice. The men of the community were subject to the vicissitudes of Indian warfare, to contests with Great Britain, and to privation and death from accident or exposure resulting from breaking a new country. Most of the inhabitants of the republic in 1790 lived in the most primitive fashion, enjoying no luxuries and devoting their lives to unremitting toil. If the head of the household found about him a large number of children claiming his protection and support, the care of them brought but one more demand for self-sacrifice into a life that was largely composed of self-sacrifices. The same influences surrounded the mother, who toiled from early till late; into her narrow life a large number of children brought some pain and anxiety, but also the compensation of maternal affection and increased companionship. Over and above these facts was the conviction generally held by the pious and earnest people of that period, that duty to the state and the community demanded large families without regard to the personal convenience and comfort of parents. This was the formative period of the United States—a time when no sacrifice could be demanded of the individual to which he would not cheerfully respond, because self had not crept into a prominent place.

In 1900 the resources of the nation have been developed to the point of fruition. From various causes the population has become enormous. Wealth has increased to a degree unparalleled elsewhere in the world or in any age. Men and women have rapidly learned to consider themselves first. "Why should we burden ourselves with child raising?" inquire the rich. "It interferes with the freedom of individual action and self-enjoyment." One or two children for the most part are the rule in such households, if they are not indeed entirely childless. The middle classes adopt another argument: "We cannot afford to rear children," they say. "The pressure of competition is so great that it means infinite sacrifice for the parents, a lifetime of self-denial, inability to get on in the world because of the handicap which a young family brings, and, furthermore, if there are many children they cannot be given the advantages of polite education." In the lower classes fertility has continued high until the present time, but they also are rapidly falling into line with the argument of the middle class. The volun-

tary restriction of family has become apparent in all classes of society and in all civilized nations.

The decrease in the birth rate in the United States obviously marks a complete change in the social system in the republic since the first census was taken in 1790. It reflects the change which unquestionably has occurred in the conception of duty and responsibility on the part of the individual. Duty to the state is probably never considered. It is not enough to reply that intensive child raising is better at this period than large families. In general an only child is usually the victim of false ideas of life, and almost necessarily selfish and self-centered. But if the limited human product which is now being contributed were actually better than a large product, the fact of greatest importance is the source of future population increase in the republic. The principal source is obviously to be not the 35,000,000 persons descended from the population enumerated in 1790, but the 32 millions specified in the preceding pages of this paper as composed of the persons or descendants of persons who have cast in their lot with the nation during the past century. Of this number two-thirds were enumerated in 1900 as either foreigners or as the children of persons born in foreign countries. Hence the responsibility for population increase is being shuffled off upon the lower or newer elements of society.

Do not these facts indicate that from this time forward there is reason to expect an increasing drift away from Anglo-Saxon lineage and possibly from Anglo-Saxon ideals, as the later or foreign element overtakes and passes the native stock? The result may prove an advance. No man can tell. Moreover, the change will doubtless become more rapid and pronounced, since those whom we have assimilated, and perhaps not wholly, must themselves take up the task of assimilating others.

No man can define the full significance of the declining birth rate, but this paper has failed in its purpose if it has not impressed one serious fact upon the reader: the change in the direction from which, in the future, population increase is principally to be drawn. It is not necessary that population in the United States should increase more rapidly than it has been increasing; it is not necessary, indeed, that it should increase at all—but as increase diminishes it is imperative for the stability of the nation that quality should continue at least as good as that of the stock which established and nurtured the republic.

ALCOHOLISM AS A CAUSE OF INSANITY

BY CHARLES L. DANA, M.D., LL.D.,
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College.

The case against alcohol as a cause of insanity is of the kind which really has only one side. I have no need to make an argument to prove that alcohol is a cause of insanity. However it is not the only cause, and as a cause of insanity it has to be regarded in perhaps a little different way than sometimes has been supposed. Alcohol causes we are told about 15 per cent of insanity, but if we think by simply wiping alcohol right out of society at once we would thereby also reduce by 15 per cent the amount of insanity, we would probably be mistaken. For insanity is not usually caused by any single factor, and alcohol does not do its work in a simple way.

Alcohol acts in producing insanity in three ways. First, through the intemperance of the person using it; second, indirectly through hereditary influence, and, third, indirectly through its effect on the environment. As I have said, alcohol produces about 15 per cent of all the insanities in this country. It affects men very much more than women in a proportion of three to one in this country, and about two to one in other countries. As an indirect cause, that is, acting through heredity, alcohol is not so important as I think it has sometimes been stated. In going over my statistics of personal cases, and I am relying mainly on those, I find that it acts as an hereditary factor in about 5 or 6 per cent. In the poorer classes the percentage is somewhat larger. The importance of alcohol in producing insanity indirectly through disturbance of environment is no doubt great. Taking it altogether, some observers have asserted that alcohol is directly or indirectly the means of inducing nearly one-half the cases of insanity.

Alcohol is the cause of idiocy and imbecility, acting indirectly through the parents, in about 5 per cent of the cases, in New York and the region with which I am familiar. In France, Switzerland

and foreign countries the percentage of epilepsy and imbecility, caused by alcohol, is put as high as 40 or 50 per cent.

There are some other interesting facts regarding the influence of alcohol as the cause of insanity according to age, sex, race, social condition, etc. I have already said that alcohol does not induce insanity in women as much as in men, but in the proportion of about one to three. The immediate reason is that women do not drink as much as men, because they do not like the effects. It has not for them the social stimulus which men get from it. Statistics show that in New York and also in England and Europe there is more alcoholism and alcoholic insanity among women in the urban than in the rural populations. In other words, city women drink more than country women. A very important fact has been established, viz., that alcohol habits which lead to insanity are almost always begun in early life.

There are some very curious differences in the way alcohol affects different races. The Jews have hardly any alcoholism. The proportion is given by some as low as one to thirty. It is rarely seen among them in our hospitals in New York. On the other hand, insanity is twice as common amongst the Jews as amongst the other races with which we live. The Italians, according to the statistics, which are not very good, have not much alcoholic insanity, though they drink more alcohol than Americans. In Eastern countries, like India, the insanity from alcoholism is very rare, but insanity from drugs takes its place. This is true at least of the Punjaub and of Egypt.

Alcohol is consumed throughout the United States and European countries at about a certain amount per capita yearly. This varies from eight or nine litres of absolute alcohol per head per year in England, and about the same in this country, to fourteen or fifteen litres in France, which stands at the head of alcoholic drinking countries; other nations range between these.

Insanity does not vary exactly in proportion to this. For example, there is as much insanity in England as in France, though the consumption of alcohol is twice as great in the latter country. So much for the statistics in the case against alcohol.

I want to call attention now to a few things which are rather curious, in view of the fact that alcohol appears to cause so much insanity. One of the things I have already referred to is that in

some of the countries where the consumption of alcohol is large, the amount of insanity is not proportionately large. The statistics of Italy are very inadequate, but all those obtainable show that the percentage of alcohol insanity is not more than 3 or 4 per cent among Italians, though they drink more alcohol than is done in countries like the United States or England. The history of the consumption of alcohol, however, shows that where it goes up to an excessive amount per head per year, the amount of crime, insanity and poverty increases very rapidly.

It seems to me then that there is kind of an automatically working drink law to this effect: Each country has a certain "normal" per capita consumption of alcohol, say seven or eight litres per head yearly. Now when by special effort you get the consumption below this point, it does not make much difference in the amount of insanity. But when by neglect it goes above this normal, there is a great increase in insanity, crime and pauperism. For example, in England there is a less proportion of insanity in the heavy drinking counties on the seacoast *which are prosperous* than there is in the inland counties, which are rather poor and much more temperate. English alienists explain it by the fact that they substitute strong black tea for alcohol. A laborer will drink one or two quarts of strong black tea every day. It indicates that one cannot easily rid a community of intemperance of *some kind*.

I have already referred to racial statistics, showing that insanity may be very prevalent in races where alcoholism is not very great. The statistics in the prohibition and non-prohibition states throw as yet no light on the effect of this kind of legislation on insanity. In Vermont, for example, the percentage of insanity is greater than in some of the non-prohibition states, but we cannot say that there is not as much liquor drunk there as in any other state. The same is true of other states. So that nothing can be said as to the effect of prohibition on the insanity rate until figures are better studied out.

Another thing which I think ought to be known in connection with those statistics published to show the baneful effects of alcohol, is that in some countries these statistics include delirium tremens as a form of insanity. So it is technically, yet this and most other "alcoholic insanities" are rather a class by themselves, and are of a mild and more curable type. As a matter of fact the chronic

incurable and more serious forms of insanity are not often caused directly by alcoholism.

I have thus very briefly summed up some of the facts showing the relations of alcohol to insanity. It seems to me in conclusion that what we need to do in this matter is to fight the increased use of alcohol, and fight the abuse of alcohol in every possible way. I think we can probably do it more successfully by appealing to the sense and reason of people, by bringing up children in the way of self-control and wisdom, than by actual legislation; I mean in so far at least as the control of insanity is concerned. I do not believe that as long as the consumption of alcohol per head does not rise above what I have called the normal rate, legislation against it will lessen insanity, although it may do a lot of other good. I think if we legislate at all we should legislate against the use of it by anyone under thirty years of age, and I think if such a law could be enforced we would cut out the evils of alcoholism better than in any other way.

It seems to me that by pursuing in addition to this some methods of education and training which will make us a stronger or less neuropathic race, we will have less alcoholism and less alcoholic insanity, because in the majority of cases alcoholism is not a disease so much as it is a symptom of a neuropathic constitution. In fact the test of a neuropathic constitution is the inability to use alcohol at all, or to use it wisely or moderately. Alcoholism is in reality only a symptom, the expression of an unstable constitution. It is really this unstable constitution which blossoms out in alcoholism and which is perhaps through this led into an insanity. Therefore we must legislate against alcohol to some extent and educate against alcohol, but it is still more our duty to train our children and ourselves to habits of wise living and habits of self-control, so as to eliminate the feeble souls and oversensitive constitutions. The flowing bowl would do little harm if it were not for the shallow pate.

THE IMPORTANCE OF THE ENFORCEMENT OF LAW

BY CHAMPE S. ANDREWS, ESQ.,
New York City.

The reformers interested in the progress of the public health divide themselves into two camps—those who believe that legislation is a cure-all, that all that is necessary to reform an evil condition is to pass a prohibition law, and those who take a cynical attitude towards the law and say that laws do not help in the solution of public health problems, and that we must educate each individual so as to make laws unnecessary. Both points of view contain essential errors.

Instead of saying that laws are absolutely necessary to prevent all public health evils, I would say that in most instances the passage of laws to correct these abuses is a necessity, but that we must not stop with the mere enactment of the law. We must also provide a means for its enforcement. That part of the law which provides the means by which it shall be enforced is of as much importance as the law itself. Many recalcitrant and criminal legislators pass laws at the request of the reformers of our community, and the reformers go away satisfied with what has been done, yet we may read the statistics after the passage of that law and find no convictions under it and no good accomplished.

In my particular work, in the service of the Medical Society of the County of New York, for the enforcement of the laws against the illegal practice of medicine, we have had some six or seven hundred convictions. There is a little book published, showing that every state in the Union has a law on the subject, almost as good as the New York law, and some better; and yet, in one New York county one person, aided by the Medical Society and the legal corporation charged with the enforcement of this law, has succeeded in securing seven or eight hundred convictions, whereas all the rest of the United States has not succeeded in securing twenty-five. It is not because there are not enough laws, but because there are no persons charged with their enforcement.

Take the prolific laws regulating physical environment. What

good would a tenement house law be, prescribing what kind of tenements shall be built, how many families to a floor, and how much light and air shall be given each house, unless there were some organized body to enforce that law and punish those who violate it?

The law against unnecessary noises or smoke nuisances, what would it accomplish unless there were some one charged with its enforcement? What good has it done, in many states, to pass labor laws, laws in regard to spitting in public places, laws concerning the milk supply, the pollution of streams and water supply, impure foods and drugs—of what good would all these laws be unless some provision were made for their enforcement?

Likewise, what good would a law do saying that soothing syrups containing morphine, and nearly all soothing^a syrups have contained morphine—Mrs. Winslow's and all the rest—should not be given to children. What good does it do to put those laws on the statute books unless some means are adopted of bringing to book those who are guilty of violating the provisions of a statute of that kind? What good would it have done before the passing of the Pure Food Law to pass a law prohibiting the use of Peruna or Mrs. Lydia Pinkham's, or Paine's Celery Compound, or many other intoxicating drugs? Whatever may be our individual views as to the work of our last President, and I am of the opposite political faith, I believe that when the history of his administration comes to be written, one of the best and most effective things that will be recorded of him will be that he insisted on the enforcement of the Pure Food Law. When his message went to a Congress led by men in the interests of the makers of impure foods and various drugs, and he sought to apply the secret service for the enforcement of that law, it was then that the shoe pinched, and not when the law itself was passed. When the President undertook to enforce it, and used the power of the government in its enforcement, then those whose toes were pinched began to howl, and such an object lesson as our country never had before arose out of the splendid secret service message of the President to Congress.

Take the prolific laws regulating eugenics. Let me call attention to one—the law relating to the prevention of cruelty to children. That comes closer home to all of us than any of the others. We had laws in New York, for many, many years which would, if enforced, have given the child a fair show, but it was not until

Mr. Gerry, with his means, his courage, and his ability at organization, founded a society for the prevention of cruelty to children which undertook to enforce those laws which had been in existence, but which had lain idle for years, that the children in the city of New York began to have their childhood free from the abuses which Mr. Gerry's work shows to have existed for many years.

There is also the question of obscene literature, as bearing on the question of public morals. Generally the questions of public health and morals are combined. The name of Comstock and the word "Comstockery" have been held up as things to be abhorred throughout the community, and yet I heard one of your distinguished fellow-townsmen, Mr. Barlow, who has had some experience himself with punishing criminals, say that he went to New York and investigated Mr. Comstock's work, covering a period of many years, and he came away feeling that to that man was due an obligation of gratitude on the part of the community which few people realized, and which no one had yet undertaken to express.

If you could see, as I have seen in the city of New York, boys and girls of twelve and fourteen years of age handed out the vilest, most licentious pamphlets, or if one of your children had happened to pick up one of these pamphlets, and if you had heard that through Mr. Comstock the circulation of these pamphlets had been restricted, that the vicious models in the Fourteenth Street museum had been destroyed and the criminals responsible sent to jail, the words Comstock and Comstockery would have a different meaning to you. The criticisms of those who say the law is of no use are not well founded. It is only when the laws are begun to be put through the courts that they become effective.

Take the work of Captain Goddard. I have to cite New York men—I dare say there are those in Philadelphia who do just as good work, Doctor Cattell and others I know have done work ranking very high in this sort of thing, but take Mr. Goddard. Millions of dollars had been taken from people through the policy shops, the chances being 10,000 to one, in favor of losing. Captain Goddard devoted his fortune and his life to the enforcement of laws which had already been enacted. By his efforts, Al Adams, the policy king, was placed behind the bars of Sing Sing, where he should have been put long before. You cannot be content with the passage of laws, and leave their enforcement to the public authorities unless

you provide some special duty and some special means by which these laws shall be enforced.

The critics who say that laws are of no use and should not be passed are right when considering one kind of law; that is, the law for the punishment of crimes that grow out of the existence of diseased minds and bodies or unhealthy social conditions. There are many such laws as that; laws against criminal operations, for instance. The *New York Telegram* and the *Herald* and the *New York World*, unhampered for years and years, printed the filthiest and most loathsome forms of advertisements of men and women to perform an unspeakable operation. Laws existed then as they exist now to stop this sort of business, but it was not until one of the post-office inspectors, Mr. Meyer, backed up by Postmaster-General Cortelyou, called attention to the growth of these abuses, and the machinery of the law was put into effect, that these base columns of the *Telegram*, the *World* and the *Herald* ceased to pollute the newspaper literature of the city of New York going into the homes where boys and girls were free to read them. The *New York Evening Telegram* was held up in the mails and refused permission to go through the mails until it removed, and removed forever, I hope, that column.

Chicago is now worse than New York ever was, and Detroit is just as bad; and Atlanta, and even your own city are not free from some taint of these vicious, miserable obstacles to race progress, and they will stay here in these papers and in every other city, and these men will continue to do their work until your law is enforced. But at last, these crimes that grew out of unhealthy social conditions and diseased minds and bodies are not going to be corrected by laws or their enforcement. You must begin on them by correcting the conditions out of which they grow.

One of the greatest obstacles to race progress is the marital relation undertaken by a man whose life has not been clean. Mr. Bok has been the subject of ridicule by the cynics for undertaking to educate the boys and girls of this country to know that these obstacles cannot be removed by law, but only by bringing home to every boy and girl the necessity for realizing in their hearts and consciences that they must begin with themselves. I wish there were a thousand publications like that, and that all institutions, from the pulpit to the press, realized the fact that these things that grow out of

diseased minds and bodies and unhealthy social conditions can be reached only by educating the individual, and the collection of individuals which we call the public. Every institution that has undertaken to educate the public and the individual to the importance of beginning with himself or herself is doing a greater work than all the laws in all the countries will ever be able to do.

THE INVASION OF FAMILY LIFE BY INDUSTRY

BY MRS. FLORENCE KELLEY,
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It is, of course, a truism that a very large majority of the homes in the United States are those of poor working people. Miss Tarbell, in her recent papers on the tariff in the *American Magazine*, points out that of fifteen or sixteen million families in this country less than two million have an annual income of \$2000. In discussing industrial conditions we habitually think of those who come above or about that line. We do not commonly think of the homes of working people as the homes of the poor. They are, however, the great majority, and they are at this time suffering an invasion such as the great mass of the homes of any people never before suffered.

I shall speak of four aspects of that invasion. First, the case in which industry follows a mother into her home and distracts her from her duties there. Second, the case in which poverty drives a mother out of her home into industry in the effort to earn subsistence for herself and her fatherless children or the children of a disabled father; and, third, the case in which young boys are taken out of their home into industry. We have here in Pennsylvania a larger and more influential body of employers, who constantly and successfully say year after year that they cannot carry on industry in this great, rich, manufacturing Commonwealth without drafting into its service little boys, than in any other state in this country. Finally, the case in which the daughter of the family, though perhaps a very little girl, is drafted out of the home. Never before on so great a scale have working people's homes been invaded by industry in the sense that it entices away those who belong in the home and not in industry.

Within a fortnight there has come to my attention in New York City what I believe to be a case typical of many thousands there and here, and in all our great manufacturing cities, in which a working man is content to earn less than he could. He is not sick. He is far from dead. He is working, but content to earn

less than he could and should earn because his wife and two little sons contribute, as they should not, to the total earnings of the family. The wife is consumptive. She has had a very long, slow case of consumption. Of the little boys, one is four years old and one ten. The little boy of ten years looks about seven, and in his classes in school is about as far advanced as a normal child of seven should be, though he was born in New York City and has had the opportunity of going to school during the regular school period. The mother contributes about four dollars a week, with the help of the two children, the boy of ten years and the boy of four, to the family income. She makes cigarette papers for the most famous manufacturer of cigarettes in New York, covers for the most expensive cigarettes produced. In some cases the boxes in which she packs these cigarettes carry in monogram the name of the patron. He obviously believes that he is getting particularly good tobacco and particularly clean forms of manufacture by reason of the high price—and the consumptive mother spends her time licking these cigarette covers. The house is filthy and the children are ill-fed. They are kept at home from school much of the time. The child of four does not even get to his kindergarten regularly. He helps in making cigarette covers.

The whole family life is disorganized. At times the house is locked, the family on the streets, because the mother is fetching supplies to and from the factory. That is not an unusual case. That sort of manufacture, with the help of the invalid of the family, is not exceptional in any of our great manufacturing cities in which any industry is carried on whereof the material can be subdivided and made easily portable. We have in New York City alone 4000 tenement houses registered in which work like that is permitted. Nominally, of course, a consumptive is not allowed thus to work, but we cannot know what happens in 4000 registered tenement houses and in all the others which are not registered.

New York has this very great advantage over Philadelphia, that it counts its invaded houses. Twenty years ago a factory law was enacted in which there was incorporated a rudimentary provision for registering the invaded homes here in Pennsylvania. But by the effort of the present Chief Factory Inspector, Mr. John C. Delaney, that provision was stricken out of the law, and Pennsylvania to-day does not even count the homes which are invaded

by this form of industry. We have made no progress here in that respect. We have made sadly little in New York, and virtually no effective progress in other states. That kind of invasion of the home is not decreasing, but increasing throughout the manufacturing districts.

It is also sadly true that the invasion by means of the withdrawal of a mother from the family, the invasion of industry by taking the head of the family away from her fireside, increases also. There is a queer perversion of charity by which, as soon as a woman is left a widow with little children, a certain obsession seems to arise in all her friends, rich and poor, to secure for her the most loathesome work I know—the work of scrubbing floors which people have been defiling all day. In every city there are widows who receive more or less private relief on condition that they accept work found for them. Thus a good woman in Chicago had the monstrous idea of establishing a night nursery for children in order that they might be carried away from home to be taken care of and sleep at night while their mothers performed this hideous task which should be performed by machinery.

Every charitable society which scrutinizes its records must have made the observation which the Association for Improving the Condition of the Poor in New York has made, that there is a recent great increase in the cases in which mothers of little children have gone out to work because the husband was unemployed. In some cases the wife has supplanted her husband at the identical machine, working more cheaply than he. Some fathers have sat at home and taken care of the children while the wives worked at their machines for two-thirds the pay. We have lost ground terribly since this last panic began in this form of invasion of the home by industry; the calling out of the mother to leave her young children and go out to work. She is always doing that where the father is dead or she is deserted, instead of our doing as the republic of Switzerland does, pensioning her on condition that she stay at home and bring up her children—not trying to be father and mother and failing in both duties.

As to the little boys in industry, we have an old assumption that the boy we see on the sidewalk will some day be the Marshall Field or John Wanamaker of his generation. There is no foundation for that. Marshall Field was never a newsboy, and

I do not know that John Wanamaker ever was one. We have no evidence that street boys grow into heroes of commerce. We are really encouraging them to be beggars and thieves when we allow them to keep change which they should return if they are ever going to be business men.

We encourage a street boy to be away from his home and family and we cherish a queer superstition that he always stays in the street to help his widowed mother. In many cases he does not help her even when he has one. The little newsboy is beginning to be looked upon as he ought to be—as an ill-treated, much idealized and usually very much demoralized little boy on the high road to a reformatory.

Then there is the older boy—the messenger. I have been studying messenger boys for seventeen years, having lived in the poorest quarters of Chicago and New York, from which the messenger boys for those cities are largely drafted. There is not, I believe, one messenger boy three months in the service of the Western Union, American District Telegraph, Postal, or any general or local telegraph or messenger service, who fails to learn everything known to any criminal in the community in which he lives. The messenger boys are spared nothing.

In the penal code of New York there is enumerated a long list of places to which children are forbidden entrance—wine-rooms, gambling-rooms, brothels, which, in the first place, presumably do not exist and, in the second place, are specifically forbidden to admit children under sixteen years of age. But the criminal code especially provides that this section does not apply to children delivering messages or merchandise at the doors of any of these places. A boy fourteen or fifteen years old does not stop at the door of the house to which he is sent, but must not enter. The very prohibition stimulates his curiosity and makes it quite sure that he will go in. I do not know how any messenger boys, even in exceptional cases, succeed in remaining honest, with the wholly insufficient supervision which they have and the never-ending temptation to collect money at both ends, to suppress telegrams and to steal carfare. The temptations which beset them are so cruel and so pitiless, so shocking, that they can neither be printed nor told. Five and twenty years from now our descendants will, I believe, look back upon our treatment—the failure of our treat-

ment—of our street boys with the same wonder and reprobation that we visit upon our ancestors who tolerated slavery.

Finally, there is the going out of the home of the daughters of the family. The Consumers' League, which I have the pleasure of serving as its secretary, is about to publish a study of some 300 young girls and women who earn their living in different cities and live away from home, stating how they earn their money and how they spend it, how much they expend and what they get for this money which they earn, in many cases with very great exertion. No one can read those records of honest girls and women with their account of hard work and of privation when there is no work, of illness and hunger, and being turned out of the rented room for want of rent—no one can read those stories without marveling at the courage and character of these girls who keep within the straight and narrow path.

After ten years of close contact with places where young girls are employed I am convinced that the families who sent their sons to the Cuban war took no greater risk, though we know that many died, many were made invalids and many came home diseased and demoralized. Those who sent their young sons to that war took no graver risks of death, disease and demoralization than families take who send their young girls into department stores, offices and all the innumerable industries which are calling young girls, as they have never been called before in the history of the world, to work away from their own roof, away from the supervision of their mothers. It is a new process.

There were virtually no tenement houses in this country sixty years ago. There was no telephone service calling upon young girls to work for \$3.50 to \$6 a week all night at a telephone exchange. There was no such telegraph and messenger service sixty years ago as now employs in a single year in the City of New York 6000 different young boys in order to keep 2000 boys at work every day in the year, including Sunday and every night. These things did not exist. They are new. They call for an entirely new kind of education for young people in ways of protecting themselves. They call for the abolition of the employment of little boys as newsboys and of girls and youths under the age of twenty-one years for delivering messages at night, by telegraph or telephone.

There has never before been an organization of industry which

called women out at night to work to support their little children. We have done nothing effective in our legislation. We are behind the fourteen enlightened nations of Europe in that we do not prohibit the work of women in manufacture at night. They are free to be called upon to work all night, away from their homes. The process is new. It is a wholesale process and it is increasing in scope and vigor in all these four lines. Not in any one of these is it diminishing.

The young daughters of the poor have to be taught to meet dangers which their grandmothers never had to meet, because they did not exist, but we are not furnishing that education. We have not faced the situation. Personally, I do not believe that the family can be effectively defended until we give a part of the responsibility for its defense to the mothers and the older daughters of the family. I do not think that the men in this country have protected the home adequately. They are not doing it now. They do not face the situation effectively, and I do not believe that they can protect the home against this industrial invasion until they call into their councils and into active participation, particularly in our city governments, the mothers of these homes.

There is a growing body of women—there are some men, too, chiefly intelligent workingmen—who know the change that is taking place in the homes of our country and want their consciences clear of participating in it. When we attempt a remedy by individual effort it proves insufficient. I may as an individual declare to the telegraph company that I will not have messages delivered to my house in the dead of night by young boys. That is infinitely slow in its effect. We need legislation before we can even free our consciences. We cannot do it adequately by the unaided effort of voluntary associations. We can only do it by legislation effectively followed up.

The laws which we do get enacted are in some cases on the statute books not enforced for years. For twenty years we have had a law providing for factory inspection in Pennsylvania. Twenty years ago I went before a legislative committee to promote the passage of a bill creating the office of factory inspector. We have never for one day had an efficient enforcement of the laws passed then and since—the different provisions for the protection of the children.

In New York State it required twelve years of persuasion, after a good law for the protection of mercantile employees was put on the statute books, before mercantile inspectors to the paltry number of eight were created and enabled to begin last October the work of enforcing the provisions for safeguarding young boys and girls employed in our stores. Many women went all these years to the state Legislature or to the city Board of Estimate and Apportionment pleading for an appropriation of \$14,000 for salaries and expenses for inspectors to enforce the law already on the statute books. In the first three months of their service these inspectors found, in 1908, 1100 children illegally employed, many of them by leading merchants. They found innumerable minor violations, so that one shudders to think what went on during the twelve years while we were trying to persuade the authorities to create officials to enforce the law which they themselves had enacted. It is for reasons such as these that I am convinced that giving full political power to women will not disrupt the home, but that this is the only way in which we can effectively check the disruption of the homes of the poor by the four-fold invasion of industry which is going on increasingly every day.

THE INSTABILITY OF THE FAMILY

By J. P. LICHTENBERGER, PH.D.,
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The problem of race progress involves the problem of race maintenance and race improvement. It is possible to have race improvement in a decreasing population, but no matter how great the race improvement may be, such a population is on the road to extinction. Again, it is possible to have race deterioration in a growing population, but no matter how numerous such a population may become, it is on the road to social disintegration. The normal condition of race progress, therefore, involves a condition in which the population is at least self-perpetuating and, preferably, one in which it is increasing, while its individual and social status is continuously improving.

The human race increases only by the excess of births over deaths. The population of any specific area, as the United States, may increase either by the excess of the births over the deaths or by immigration or by a combination of both. That is, to use Professor Giddings' phraseology, either by genetic aggregation or by congregation or both. The family is identified directly only with the aspect of genetic aggregation, since the customary method of reproduction is institutionalized under that designation. Race perpetuation therefore depends upon the efficiency and stability of the family. This stability and efficiency depends mainly upon three things, viz.:

(1) The regularity of marriages. Any change in the relative number of marriages in the population is likely to affect the problem of race perpetuation. This will depend, however, upon (2) the regularity of the birth rate. It would be possible to have a stationary or increasing population with a declining marriage rate if the number of children per family increased sufficiently to offset the decrease in the number of families, or, again, we might have the same condition with a declining birth rate per family if the number of families were sufficiently increased. (3) The permanence of the marriage relation will affect not only the birth rate, but the matter

of race culture as well. It will now be necessary to examine these elements of our problem in respect to the United States.

I. EVIDENCES OF INSTABILITY

1. *The Marriage Rate.* The recent report of the Federal Census Office on marriage and divorce provides the first reliable statistics for the computation of marriage rates in the United States. The returns were not complete, but were sufficiently so for all practical purposes. This report reveals a persistent increase in the marriage rate, the regularity of which is interrupted only as a result of the financial depressions of 1893 and 1903. In the period covered by the report, 1887 to 1906, 12,832,044 marriages were recorded. Taking the average of the five-year periods in which 1890, 1895, 1900 and 1905 are the median years, except 1905, which is the average for 1903 to 1906 inclusive, and comparing these with the population of these years, as estimated by the Census Bureau, we have the following:

Census.	MARRIAGES.			POPULATION.			Population to one marriage.	Marriage to 100,000 population.
	Annual average.	INCREASE.		Total.	INCREASE.			
		Number.	Per cent.		Number.	Per cent.		
1905	806,399	121,358	17.7	82,574,195	6,579,620	8.7	102	976
1900	684,981	83,999	14.9	75,994,575	6,523,431	9.4	111	901
1895	595,982	52,221	9.6	69,471,144	6,523,430	10.4	117	857
1890	543,761	.....	....	62,947,714	.....	....	115	864

Thus we have a slight gain in marriages over the growth of population. A slightly more significant rate is obtained by comparing the number of marriages with the unmarried population fifteen years of age and over, including the widowed and divorced. On page 9 of Census Bulletin No. 96 this comparison is made, both for the uncorrected totals on the basis of the total population and also exclusive of the population and marriages of those counties for which marriage returns were either lacking or incomplete. Taking the second comparison for the sake of greater accuracy we have:

Census.	Population.	Unmarried population 15 years of age and over.	MARRIAGES, ANNUAL AVERAGE.		
			Total.	Per 10,000 population.	Per 100,000 unmarried population, 15 years and over.
1900	73,385,121	21,261,642	684,981	93	321
1890	59,313,546	17,029,598	538,891	91	316

Upon either basis of comparison the number of marriages gained on the population slightly during the last decade. It is apparent, therefore, that from the point of view of marriages the family is holding its own, and no evidence of instability is to be found.

2. *Birth Rate.* The situation is different when we turn to the problem of the birth rate. Statistics of births are very inaccurately kept in most portions of the United States. A recent study made by the Census Bureau employed two methods, however, which arrive at some very interesting facts regarding the birth rate. The first method is a comparison of the number and per cent. of children under ten years of age in the total population. The result follows:

Census.	Total population.	Population under ten years of age.	Per cent of total Population under ten years of age.
1900	75,994,575	18,044,751	23.7
1890	62,662,250	15,208,691	24.3
1880	50,155,783	13,394,176	26.7
1870	38,558,371	10,329,426	26.8
1860	31,443,321	9,013,696	28.7
1850	23,191,876	6,739,041	29.1
1840	17,063,353	5,440,593	31.9
1830	12,860,702	4,224,897	32.9
1820	9,638,453	3,150,638	32.7
1810	7,239,881	2,424,683	33.5
1800	5,308,483	1,776,010	33.5

It is apparent that the population is more adult than it was a century ago. The decrease of the number of children, as compared with the whole population, is constant throughout the period. The suggestion is that there has been a diminution of the birth rate for the period, but the argument is not conclusive. The greater proportion of adults may be due either to immigration or to greater

longevity. A second comparison serves to establish a little more clearly the fact of the diminishing birth rate. By comparing the number of children with the number of women of children-bearing age we get closer to the rate than by comparing with the whole population. The comparison is made of children five years of age and under with females between the ages of fifteen and forty-nine years. Figures are obtainable from 1850-1900, and are as follows:

Census.	Number of children 5 years and under to 1,000 females 15-49 years of age.	Decrease in number by decades.
1900.....	474	11
1890.....	485	74
1880.....	559	13
1870.....	572	62
1860.....	634	8 ¹
1850.....	626	..

Thus it appears that, per 1000 potential mothers, the number of children has decreased from 626 to 474 in a half century. In 1900 there were only three-fourths as many living children to each 1000 potential mothers as there were in 1860.

The recent study of the Census Bureau on "A Century of Population Growth" makes a further comparison of the number of children per family. In 1790 the average size of the family was 5.8, while in 1900 it was 4.6. The number of children under sixteen years of age to each family in 1790 was 2.8, as compared with 1.5 in 1900. In the century the number of households increased tenfold, while the number of children under sixteen years of age has increased little more than sixfold.

From any method of calculation it is clear that the birth rate is decreasing rapidly. Diminution of genetic aggregation is the inevitable result.

3. *Permanence of the Marriage Relation.* With the completion of the present report of the Census Bureau on marriage and divorce we are in possession of divorce statistics for continental United States for a consecutive period of forty years, 1867-1906. During this period there was granted a total of 1,274,341 divorces. Of these, 328,716 were granted during the period covered by the first report, 1867-86, and 945,625 during that covered by the second, 1887-1906.

¹Increase.

Comparing the annual average of divorces by five-year periods, for which the years given is the median year, except that for 1905, which is the average for the four years 1903-6, with the population, as estimated by the Census Bureau, we have the following:

Census.	DIVORCES.			POPULATION.			Population to one divorce.	Divorces per 100,000 population.
	Annual average.	INCREASE.		Total.	INCREASE.			
		Number.	Per cent.		Number.	Per cent.		
1905	67,791	12,289	22.1	82,574,195	6,579,620	8.7	1,218	82
1900	55,502	14,890	36.7	75,994,575	6,523,431	9.4	1,369	73
1895	40,612	7,415	22.3	69,471,144	6,523,430	10.4	1,711	58
1890	33,197	8,573	34.8	62,947,714	6,395,966	11.3	1,896	53
1885	24,624	5,481	28.6	56,551,748	6,395,965	12.8	2,297	44
1880	19,143	4,774	33.2	50,155,783	5,798,706	13.1	2,620	38
1875	14,369	3,162	28.2	44,357,077	5,798,706	15.	3,087	32
1870	11,207	.....	.....	38,558,371	.....	.....	3,441	29

The population in 1905 was little more than double that of 1870, while divorces were six times as numerous, showing the increase in the divorce rate to have been approximately three times as rapid as the growth in population.

A more significant result is obtained if we compare the number of divorces with the married population. On the basis of present statistics, such a comparison is possible during the period of the second divorce report. Using the average of five-year periods, as before, we obtain the following table:

Census.	Married population.	Divorces, annual average.	Married population to one divorce.	Divorces per 100,000 married population.
1900	27,770,101	55,502	500	200
1890	22,447,769	33,197	676	148
1880	17,908,092	19,143	935	107
1870	13,823,708	11,207	1,233	81

It appears that the divorce rate is two and one-half times greater than the increase in the married population.

A further comparison is possible between the number of marriages and the number of divorces. Taking the annual average

of five-year periods of marriages and divorces, we have the following:

Census.	Marriages, annual average.	Divorces, annual average.	Marriages to one divorce.	Divorces per 1,000 marriages.
1905	806,339	67,791	11.9	85.3
1900	684,981	55,502	12.3	81.
1895	595,982	40,612	14.6	68.1
1890	543,761	33,197	16.3	61.

Thus the ratio of divorces to marriages is constantly increasing.

II. CAUSES OF INSTABILITY

Too great emphasis ought not to be placed upon the fact of our slightly increasing marriage rate. It is probable that causes which are affecting the birth and divorce rates will ultimately affect the marriage rate, but for the purposes of our present discussion we may eliminate this element from consideration.

Two groups of causes are commonly assigned for the decline of the birth rate: The automatic limitation, due to the later ages at which marriages are contracted, the increase of social diseases, and the general decline in fecundity; the voluntary limitation, due to increasing knowledge of the means of preventing conception and to the multiplication of motives for the use of the available means.

It is the opinion of the writer that the former group of causes is not largely responsible for the decreasing birth rate. Professor Ross has pointed out the fact that, after making all due allowance for the later age at which marriages occur, there is still ample time for the bearing of a much larger number of children if desired than is now the rule. As a matter of fact, Holland and Belgium, with a small proportionate number of married women under thirty years of age, have among the highest birth rates of European countries, while France, which has the greatest percentage of women marrying under twenty years of age of any country of Europe, has at the same time the lowest birth rate. As to the effect of social diseases, it is an established fact that they are often exceedingly prevalent in oriental countries, where the birth rate is abnormally high. The general decline of fertility is so far merely an unproved supposition on the part of those who have assumed that the decline of the birth rate is due to physiological causes.

We are persuaded that the dominant causes are psychological and social. They are to be found chiefly in the determination on the part of parents to limit the number of their offspring. The motives for such voluntary limitation are to be found in our modern social and economic conditions. Among the industrial classes children are an increasing economic burden; among the middle classes they constitute a social handicap and an encumbrance to those seeking to rise in the social scale, while the desire on the part of the rich for the endowment of their children requires that they should be limited in number. As yet we are scarcely warranted in the assumption that the science of eugenics is sufficiently advanced to constitute a conscious programme for the securing of fewer but better born children, and idealistic motives are not the dominant ones.

In vain do we seek the causes of the modern divorce movement in the natural perversity of human nature, the laxity of legal administration or, even, in statutory grounds upon which divorces may be obtained. The true causes of the modern divorce movement are inherent in our modern social situation. It is a problem of adjustment of society to our new economic, social and ethical environment due to progress. The stress of modern economic life, rising standards of living, the passing of the economic function of the family, the economic emancipation of women, the struggle for social liberation, the popularization of law, the increase of popular learning, the improved social status of women, the revised ethical concepts, the equal standard of morals for both sexes, the higher ideals of domestic happiness, the new basis of sexual morality—these are the forces that are producing their inevitable results. The old religious-proprietary family of patriarchal authority is doomed, and until the new spiritual restraints are formed to take the place of those that are passing away a condition which, in the sight of some, will border on chaos is bound to result. The present phenomena we are fully persuaded are the phenomena of transition and are alarming only to those who view the family as an institution which has its origin in and depends for its perpetuation upon external authority.

The causes, therefore, which will ultimately, perhaps, affect the marriage rate and which are now resulting in a diminished birth rate and an accelerated divorce rate are not superficial causes which

may be removed by the action of state legislatures except as they facilitate the adjustment of society to the new basis of our modern civilization. They are the product of forces resident within society.

III. RESULTS OF THE INSTABILITY OF THE FAMILY

Statistics of marriages in the United States do not reveal the degree of race intermixture occurring, but in the general enumeration of population we have given the nationality of parentage, which shows the large extent to which amalgamation is taking place. Thus we have in the intermarriage of different racial stocks an efficient means of creating greater homogeneity in the population. The high marriage rate, which approximates or exceeds the growth of population, is of the greatest possible consequence in the physical assimilation of the heterogeneous elements. Too great a degree of heterogeneity is clearly an obstacle to coöperative social action and a positive hindrance to progress. But as long as a high degree of intermarriage continues, which results in the absorption of new ethnic contributions to the population, a degree of homogeneity may be obtained which will offer no bar to race improvement.

Whether or not such amalgamation will prove a help or a hindrance will depend somewhat upon the elements which enter into it. Few statistics are available, however, upon which any scientific conclusions can be based as to the comparative value of specific racial combinations.

A declining birth rate means a decreasing rate of growth and, if it proceeds far enough, an actually decreasing population. If growth continues in spite of decreasing genetic aggregation it must be accomplished by congregation. This is what is taking place in the United States. The result is a greater degree of heterogeneity of the population. Whether this will become, again, a help or a hindrance will depend upon the ethnic stocks represented in the larger immigration. Exclusion acts are scientifically justifiable to the extent to which they limit immigration to ethnic stocks capable of advantageous assimilation, thus preventing the development of classes and castes inimical to social and race progress.

Whether immigration in the United States has had the effect of checking the native birth rate, as Professor Marshall suggests, or whether the low birth rate and the slow growth of population from this source has stimulated immigration, or whether there is

any casual relation between the two is yet to be determined. Whatever the conclusion may be, it cannot affect the problem with which we have to deal; namely, that a declining birth rate in an increasing population results in an increasing heterogeneity.

The large number of divorces granted to childless husbands and wives, slightly exceeding those granted to those having children, is usually cited to emphasize the failure of childless marriage. It is probable, and we believe actually the case, in numerous instances that this is putting effect for cause; that childlessness is often due to infelicity rather than infelicity to childlessness. It is evident, at least, that the birth rate is retarded by the large number of separations in the early years of married life. To the extent to which domestic infelicity leads to a diminution of the birth rate, the rising tide of divorce will tend to prove a corrective in affording another opportunity for the formation of new marriages which may result in offspring. The problem of the relation of divorce to the birth rate is more complex than is usually supposed.

Divorce conditions indicate an enormous amount of suffering within the family life of the American people. Divorce is evidence of that portion of it which becomes unbearable. Much domestic unhappiness is never exhibited in the divorce courts. The perpetuation of the family upon the basis of choice, as is now the case in respect to its formation, toward which present tendencies seem clearly to point, will be a distinct gain in social happiness. Whether or not it will affect the birth rate, it will constitute a large element in the efficiency of that phase of race culture which belongs to the home. The health, happiness and future efficiency of children reared in happy homes are greatly enhanced.

If the phenomena of family instability shall prove to be, as we have suggested, the phenomena of transition and of a new social adjustment, then we may look forward to a possible future in which, under more stable and wholesome family conditions, the science of eugenics may result in the fostering of a system of ethics which will require a birth rate sufficient for race maintenance and produce a population which shall be able to accomplish the seemingly hitherto unachieved task of educating and at the same time reproducing itself.

THE MORAL INFLUENCE OF WOMEN IN AMERICAN SOCIETY

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The materials for the scientific study of such questions as this are entirely wanting. Generalizations are of no scientific value unless based upon inductions from so large a number of facts as to be approximately exhaustive. Were such a collection of facts available they could not be utilized until they had been studied broadly, analyzed and classified, and reduced to system after mature and searching reflection. What I have to offer to-day is nothing more than the suggestions of one who has been an humble student of history and the political and moral sciences, sitting at the feet of such men as Professor Stubbs at Oxford and Professor Dwight at Columbia, who yet recognizes that the greatest teacher at whose feet he ever sat was a woman, whose power consisted not merely in an intellect as keen and a tongue as eloquent as ever adorned a class room, but even more in a moral purpose clear in object and fertile in resources. These are the suggestions of one who as a practicing lawyer, a busy man of affairs and a teacher in the college class room has given his chief interest to the study of human institutions. Without pretending to that scientific authority, which when only assumed is the curse and reproach of social and economic utterances, I shall merely attempt, with a few suggestive illustrations, a classification of the main forces operating in the field of investigation.

The fundamental social and political institution is the family. I can find no evidence which tends to show that it is anything less than coeval with the existence of man upon the earth. My studies lead me to believe that together with man's moral nature it is a part of the endowment of the race. Where it is found it is not an achievement of man himself, where it is wanting it has been lost by corruption and decay. In the earliest records available to us, in the recently discovered code of Hamurabi, in the book of Genesis, in the memorials of a remote past exhumed from Egyptian

tombs, in the pages of Herodotus, the family stands out a distinct and clearly conceived institution. Variations from the norm of the monogamous family appear as exceptions;—the privilege of those who have been corrupted by wealth and power, the curse of those who have been demoralized by lust. The records of antiquity embodying for us the history of those races who have possessed a notable civilization are strikingly confirmed by the first accounts we possess of our Germanic ancestors, such as that of Tacitus, and by all that we know of the family among the Teutonic peoples. The rise and spread of Christianity intensified the type, and gave to the monogamous family as established in the north of Europe upon a basis of Teutonic custom and sanctioned by the Roman culture in process of assimilation, the authority of religion.

For the purpose of our inquiry the analogies that are drawn from the debaucheries of savage tribes are as worthless as conclusions that might be based upon the celibacy of the clergy as indicating the teaching of Christ in regard to the family. These forces worked out together in the great epoch of the Protestant Reformation the social life which forms the immediate starting point of any study of the influence of women in American society.

John Knox's denunciation of the "monstrous regimen of women" calls our attention to the fact that at the historical moment when the world was breaking with the past in the Renaissance and Reformation, the reactionary tendencies were enthroned in three women, Catherine de Medici, Mary Tudor, and Mary Stuart; a fact which may well call our attention to the further probability that women are ordinarily more conservative than men and that the moral weight of woman in the home is generally exerted in the perpetuation of established practices, opinions, and beliefs.

The first emigration was largely from those elements of society which most strongly represented the reformation movement in its Calvinistic form,—the Puritans of England, the Huguenots of France, and the Reformed of Germany and the Low Countries. To these were later added in great numbers the Reformed of Scotland and Ireland. The effect of the reform movement was most strikingly seen in its political teaching of the right of man to civil liberty which wrought itself out in the great movement towards constitutional government. But it was even more profoundly felt in the social movement which carried the emancipation of a few

women of exceptional culture effected in the Renaissance downwards and established it on the broad and firm foundation of moral and spiritual equality with man and laid the basis of universal education in the labors of Luther and Melancthon in Germany and in the free schools of Geneva and Holland.

The great personality of Elizabeth impressed itself upon the imagination of the English people,—we may read it in the homely fact that Elizabeth replaced Mary as the favorite baptismal name for little maids in England. The Puritan code of morals withdrew men from places of public resort to the home circle; and the conditions of life in a new country magnified the value of woman when once she was lifted above the level of a drudge. The history of English puritanism is bright with many a portrait of beloved and honored wives and mothers. Green in one of the noblest passages that ever flowed from his pen has summarized for us the portrait of a Puritan gentleman as given us in his wife's memoirs:

"The figure of Colonel Hutchinson stands out from his wife's canvas with the grace and tenderness of a portrait of Van Dyck. She dwells on the personal beauty which distinguished his youth, . . . his artistic taste, . . . great love for music. . . . We miss, indeed, the passion of the Elizabethan time, its caprice, its largeness of feeling and sympathy, its quick pulse of delight; but on the other hand life gained in moral grandeur, in a sense of dignity of manhood, in orderliness and equable force. The temper of the Puritan gentleman was just, noble and self-controlled. The larger geniality of the age that had passed away was replaced by an intense tenderness within the narrower circle of the home. 'He was as kind a father,' says Mrs. Hutchinson of her husband, 'as dear a brother, as good a master, as faithful a friend as the world had.' The wilful and lawless passion of the renaissance made way for a manly purity. 'Neither in youth nor riper years could the most fair or enticing woman ever draw him into unnecessary familiarity or dalliance. Wise and virtuous women he loved, and delighted in all pure and holy and unblamable conversation with them, but so as never to excite scandal or temptation. Scurrilous discourse even among men he abhorred; and though he sometimes took pleasure in wit and mirth, yet that which was mixed with impurity he never could endure.' To the Puritan the wilfulness of life, in which the men of the Renaissance had reveled,

seemed unworthy of life's character and end. His aim was to attain self-command, to be master of himself, of his thought, and speech, and acts."

We catch a clear reflection in this noble picture of the woman whom such a man loved, even as she might have caught the reflection of herself as she looked into his tender eyes.

In the letters of John and Margaret Winthrop we have another portrayal of the Puritan wife and mother, and in this case of one who was one of the first American women. Let me but offer one to illustrate the very mold and fashion of the age:

Margaret Winthrop to Her Husband

Most Deare and Loveinge Husband,—I can not expres my love to you as I desire, in these poore livelesse lines, but I doe hartily wish you did see my harte how true and faythfull it is to you, and how much I doe desire to be allwayes with you, to injoy the sweet comfort of your presence, and those helps from you in sperituall and temperall duties which I am so unfite to performe without you. It makes me to see the want of you and wish my selfe with you, but I desire wee may be gided by God in all our wayes who is able to direct us for the best and so I will wayt upon him with patience who is all sufficient for me. I shall not need to right much to you at this time. My brother (Goslinge) can tel you any thinge by word of mouth. I prayse God we are all heare in health as you left us, and are glad to heare the same of you and all the rest of our frends at London. My mother and my selfe remember our best love to you and all the rest, our children remember theare duty to you, and thus desirnge to be remembered in your prayers I bid my good Husband god night, littell Samerwell thinkes it is time for me to goe to bed, and so I beseech the Lord to keepe you in safety and us all heare. Farwell, my sweet husband.

Your obediente wife

MARGARET WINTHROPE.

The conditions of colonial life produced a leveling up and a leveling down. A loss in all that we think of as urbane, a gain in all that we call hardy. Men and women generally responded to the opportunities afforded them in a new country. Yet the idle and the shiftless and the dissolute remained. There was material for Hawthorne's masterpiece even in Massachusetts Bay; for the story of Agnes Suriage also; but the current ran deep and strong through simple lives, finding their inspiration and their happiness in the family, its home life, its bonds of affection, its widening circuit as younger generations cut their way westward through the forest.

The familiar picture of the Puritan father is that of a man burdened with the responsibilities of life for himself and for his children. The companion piece is a mother who is a shield and a comforter, sharing the faith of her husband, but manifesting its gentler aspects; not less anxious for the moral conduct of her offspring, but more confident of the value of a ministry of love. If the picture of the Puritan father is overdrawn for the New England Calvinist and the Pennsylvania Friend, it is entirely out of character for the Huguenot and the Southern Puritan. In their portraiture must be embodied strong sociability and a delight in the life lived by sturdy men in a land where life had much work, that was well rewarded, and few cares. The wives of such men will have the *esprit* of the Huguenot woman and the cheerful delight in human life, which is one of woman's fairest graces.

Throughout the colonies and, for the greater part of their history, the wife and mother dominated the home, ruling it with a light hand and a loving sway. The home life was very simple. The home training was reduced to a narrow field of purpose. The boys were to be fitted to go forth and earn a living, setting up homes for themselves as soon as possible. The girls were trained to become housewives, taking up their mother's vocation as wife and mother.

However simple the laws of etiquette may be they are very exacting. The primitive family was doubtless insistent on the law of the family. The simple rules of conduct, the regulation of speech and of manners, fell inevitably to woman, more careful of detail in such things than man, if in the end more tolerant of results. Just in proportion as the family prospered the exertion of feminine influence may be seen. We cannot dogmatically assert that feminine influence was always the cause of the prosperity of the family, and of the well being of the community. But the force of character of many a woman has been gladly acknowledged in the biography of many a successful man, and there was feminine agitation long before the first village improvement society came to birth. We can and must mark how potent a factor feminine influence is in every vigorous family and progressive community, and that for generations it was exercised through the family in the activity of the father and the children. We must observe too that in the communities where progress has been arrested or has become retrograde that the women have lost their moral tone, have become indifferent

to their physical attractions, share the vices of the men in using tobacco and liquor, tolerate impure and profane language, and share the violent passions and cruel traits of the men. These marks I take to be characteristically decadent. Certainly in America they mark a decline from the original standard of morals, and afford us material for study in the conditions which have produced and doubtless will continue to produce a loss of intellectual and physical well being where moral purpose and moral conduct decline. That the women of such communities are frequently of very light virtue is a natural consequence of the general neglect of moral ideals, and specifically of those elements of manners which by greater refinement and restraint distinguish women from men.

I have taken an example of New England womanhood from the early pages of our history. Let me take one from the journal of Mrs. Andrew Stevenson, wife of our Ambassador to Great Britain, who wrote in October, 1839, of a Sunday evening experience.

A Question of Cards on Sunday

"A large party to dinner. After the gentlemen joined us, when the Duke of Sussex, Lady Durham and myself were sitting together and forming a social trio, Lord Durham came in with his imperial air and said, 'I do not know whether your Royal Highness objects to cards on Sunday evening; for myself I think there is no greater harm in playing on that night than any other.' 'Nor I,' said the Duke. 'If it is wrong to play on Sunday it is equally wrong to play on Monday or any other night.' I felt distressed. Thinks I to myself, 'What shall I do?' At that moment the Duke appealed to Lady Durham, who gave a faint assent to what he had said. I, of course was silent, when his Royal Highness, suddenly leaned forward from the immense arm-chair in which he was half buried and addressed me: 'I think my dear Madam it is considered a sin to play any game on Sunday in your country.' I replied instantly in a calm, earnest, and emphatic manner, so that, although a little deaf he did not lose a word; 'Your Royal Highness is right. We think it a violation of the commandment which bids us to keep holy the Sabbath day, and we also think it setting a bad example to our dependents, who cannot so well discern between right and wrong.' The old gentleman drew himself back in his chair and remained silent for several minutes. A solemn pause ensued and I felt almost frightened at what I had done. Still, I did not regret it. In the meantime the servants had set out the tables, but no one approached them, nor was the slightest allusion made to the subject again. The Duke did not retire until his usual hour, and continued in pleasant conversation all the evening, every now and then speaking with his usual kindness to me; and when he rose to retire he called out for

me, saying, 'Where is Mrs. Stevenson?' and when I advanced from a table where I had been looking at some drawings of Lady Mary's, he shook my hand with even more than usual cordiality as he uttered his 'Good night.' I was glad not to have offended him, for he has been very kind to us; still, I felt very grateful that I had moral courage given me at the moment to do and say what I ought, despite the fear of man."

The tremendous upheaval of the Civil War with its consequent expansion led to readjustment and rapid modification throughout the social fabric. As women had been active in the agitation which preceded the war, aggressively assailing slavery and bitterly defending it, so they proved themselves intense partisans through its long and cruel course. The lack of a distinct and characteristic feminine moral consciousness was well illustrated in the failure of the Southern women as a class to revolt against the inhumanity of slavery in general, and American slavery in particular, especially as denying to the slave woman protection in her rights as wife and mother, and as corrupting the sexual morality of the white race. It is too frequently forgotten now that the rare and horrible experience of an occasional white woman was the common lot of every black woman of any physical attractiveness for two centuries. It is a fact to be remembered not to condone the crime of to-day, but to correct and clarify our judgment in dealing with all questions where might seeks to usurp the throne of right and the laws of man, to deny the commands of God.

Out of the social reorganization no phenomenon has emerged so striking as the tendency to effect by organized effort what had previously been attempted by individual initiative and personal leadership. In this phase of social life women have played their full part. Merely to enumerate the organizations which represent their combined efforts to advance the social welfare of the country would require many pages. In village improvement societies, civic clubs, the W. C. T. U., the Y. W. C. A., and the many missionary societies, we have typical examples. We cannot do more than note a few important tendencies connected with this form of influence.

It does not necessarily antagonize or even weaken the old force of woman's home life. It calls into useful service many who were without the opportunity of exerting that force, and gives a vocation to willing but often unutilized heads and hearts and hands. Its

peril is that the larger power should become the possession of those with the least stake in society.

The general result has thus far been of enormous value to society. Coeval as it is with the great progress in woman's education, it has had wise direction, commanded a greater amount of leisure than men are ordinarily able to give to social questions, and elicited those qualities of sympathy and love which man has never sought to rival and always rejoiced to praise.

The specific character of the moral influence exerted has been identical with that once exerted exclusively in and through the family. Based upon the religious teachings of the Christian religion, it has applied the golden rule in dealing with the problems of organized charity, it has sought to maintain and safeguard the family, to limit the use of liquor, tobacco, and all injurious drugs, to check gambling and corruption in public life.

There are indeed radical elements in the new movement, and women's organizations have not invariably taken the conservative side. The woman's suffrage movement, for example, is rooted in an idea that is antagonistic to the family, and if worked out to its logical conclusion would destroy its solidarity. There is little reason to think, however, that the future of organized social effort by the women of America will depart from its present attitude of supplementing rather than subverting woman's normal sphere, the family.

The normal always supposes the abnormal. So we find women active in the most violent anarchist clubs and free love societies, just as we find women the victims of degrading appetites and passions. As we remarked, the women among the mountain whites decadent under hard conditions, smoking cob pipes and drinking moonshine whiskey, tolerating low and profane speech and urging on their kinsfolk to perpetuate the feud, so we must observe other women corrupted by sudden wealth and the unchecked pursuit of pleasure, smoking cigarettes and drinking champagne, reading lewd literature and witnessing immoral stage plays, and figuring in sensational trials in the criminal courts. These are indeed dark shadows. They are the darker because of the sunshine that floods the picture.

We need no poetic rhapsody to give force to the final summary of the moral influence exerted in social life by American women. Perhaps it would seem sufficient to say they have fully justified the

position of intellectual equality with men which they have achieved. But they have done more than that. Always the inspiration of the home, proving by measureless devotion the strength and tenacity, as well as the winsomeness of love, they have extended their sphere to the community and given a new vitality to every ministry of help and healing.

PART FOUR

*The Relation of Immigration to Race
Improvement*

IMMIGRANTS AND CRIME

BY HON. WILLIAM S. BENNET,

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COMMISSION

IMMIGRATION AND THE AMERICAN LABORING CLASSES

BY JOHN MITCHELL,

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RACE PROGRESS AND IMMIGRATION

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IMMIGRANTS AND CRIME

BY HON. WILLIAM S. BENNET,

Member of Congress for New York, and Member of the Immigration
Commission.

My theme is Immigrants and Crime. In connection with crime there seems to be a tendency to restrict the term "immigrant" to the South European and Hebrew peoples. Statistics do not restrict the subject in that way, and people who sometimes carelessly read statistics without analyzing them, fly to the conclusion that the statistics relating to immigration and alien criminals relate entirely to the Italian, the Greek, the Syrian, the Slav and the Russian and Roumanian Jew. They do nothing of the sort. They allude to the foreign born, no matter how long he has been here, and if you will take the trouble the next time you look up the statistics of aliens in criminal institutions to analyze those statistics and find out how many years the bulk of them have been here, you will find that the great bulk of the aliens in our criminal institutions, the great bulk of the aliens in the institutions for the insane are of immigration which came here before the South European immigration started.

The Italian, and in the bulk, the Russian Hebrew and the Roumanian Hebrew immigration have arrived chiefly during the last twenty-seven years, and the aliens in our institutions are recruited from the class who have been in this country twenty, thirty or more years, although, of course, there is a regrettable number which go into our institutions in the first year.

We were lax in the early days in relation to immigration when there were nothing but sailing ships, and the rates of transportation were so high as to be almost prohibitive. Laxness then amounted to less than at present because expense barred the great mass of the immigrants, and it is to the few years since steam has made transportation easier and cheaper that we owe a great deal of our criminal and helpless alien population; although as far back as 1819 the Society for the Prevention of Destitution in New York City reported that the class of immigrants coming into the

country in those days was so low, so poverty stricken, and had such a tendency toward crime and illiteracy, that it was imposing a burden upon the community that certainly could not be borne. If I had not seen the date marked on the printed page, I might have thought that that particular report was made by a charitable society in 1908 in the same city. The problem is being stated, in the same words, with the lapse of nearly a hundred years. But what happened in the first few years of cheap steam navigation? This: there were no laws at all, except the inefficient, unenforced state laws. Any person that could get across the Atlantic Ocean and get his foot on American soil was safely here.

Our thrifty friends on the other side of the Atlantic took advantage of that, and thirty years ago societies were actually organized for the purpose of sending to this country criminals, paupers, old people, and the class that we call unfortunate women. They advertised in the newspapers for subscriptions. People left them legacies in their wills and they used that money to bring to this country the unfortunate from the lands across the sea, and they came into this country without let or hindrance.

That was all before the South European immigration had started, and from countries from which the very best of our immigrants, according to the universal acceptance, have come. It went so far that the British Government, about twenty-six or twenty-seven years ago, chartered a ship called the "Formosa" and sent it around Ireland, and from the workhouses in Ireland filled that ship and then started it straight for New York. There was instance after instance where the people from that ship were in the workhouse in New York City with British workhouse clothes still on them within twenty-four hours after the ship landed.

That is what we contended with in the past. There was no law against the pauper, the immoral person or the convict; just the wide-open door. We have had inspection of any sort only since 1892 or 1893, and only inspection that amounted to anywhere near the maximum since 1903—six years.

That there are alien criminals in this country it would be idle to deny. I will speak of the South European criminal, because with the criminal of other nationalities we have become acquainted. We have reached the point in connection with those people where we are willing to admit that a man born in Germany, or

England, or any of the Scandinavian countries, good or bad, is a separate individual. We refuse to admit that as yet in connection with the Russian Hebrew or the Roumanian Hebrew, the Greek or the Italian. We insist on treating them as a mass, and attributing the crimes of the individual to the people as a whole.

You can make all sorts of statistics about the Italian criminal based on what you put in or leave out in the matter of the major or the minor crime. A distinguished gentleman once drew up a table by which he proved that the Italians were at the head of the list in crime, and another equally distinguished and able gentleman analyzed the list and found that in making up the list all crimes resulting from intoxication, or the over-use of stimulants, had been left out. Of course, as the Italian is temperate, that treated him unfairly.

I have some statistics here about our own city and state. I presume that the proportion of foreign born in our state is something like twenty-six or twenty-eight per cent. of the whole. In the year 1907 there were 5513 convictions for felonies, that is, a major crime, in our state. Of those, 1757, or 31.87 per cent., were committed by the foreign born, only a per cent. or two above their proportion of the population. If, with the history of the centuries of our education and opportunities behind us, we have not gained something over the Italian, and particularly over the South Italian, then so far as our attempt to improve civilization is concerned, we have been a failure. If the percentage of crime amongst those of native-born parentage is as great as the percentage of crime amongst the foreign born, of what use to us have been our boasted and valued institutions?

My friends, talk about the Italian who comes here as the scum of Italy! I want emphatically to deny it. I am country-born myself, although to some extent city reared, and I never will accept or admit the doctrine that country people as a whole are inferior to city people. The Italian who comes here is the country man, the "contadino" from the hills.

Those who come from Naples and Palermo, and who did come from Messina are an extremely inconsiderable percentage. But if you get back in Sicily and Calabria,—and in New York if you mention Sicily and Calabria the people shudder and say, "those pest-holes; those breeders of vice and crime,"—they are mountain countries, particularly Calabria, where the people live a simple life in

villages. You cannot go into a village in any part of Calabria and stand on the street corner five minutes without having some one come to you who has a friend or relative in the United States, and you cannot stand there five minutes longer before some one comes along and talks English to you; some one who has been in this country.

They talk about the brigands of Sicily. There is just one left, and his name is "Maloney," but he does not spell it that way. Maloni—that is Maloney in Italian. Over in Calabria they have written a book on the last of the brigands, Musalino, and he is either dead or in jail. Brigandage in those countries was an economic fact. When wages were sixteen cents a day, and it was hard to get a job, a certain portion of the more daring and restless amongst the young men went into brigandage as an occupation. Now wages have risen to an average of forty cents, and work is fairly constant, and at certain portions of the year there is more of demand than there is of supply of labor, and, consequently, with a chance to earn their living honestly the youth of Italy are not going into brigandage.

The worst Italian comes from the cities. I have a little pamphlet here which I got to-day, "The Truth About the Black Hand," and most of it is true except where it says that there is no such thing as the Black Hand. There is a "Black Hand"; possibly not an organization like the "Molly Maguire," with a grip and a password, but an organization with a very thorough understanding. This says there is none. But ask the ordinary, well-to-do Italian about that, and see what he says. I found over in those little villages a condition which is new even to the Italian Government; men who had returned to the village of their youth because they had been threatened by the Black Hand in the United States.

There was an old baron in Galina, down in Calabria, who shook his finger at me across the room in a council chamber in the village and asked why we did not enforce the law in the United States so that decent, self-respecting Italians that came here could stay here, and I did not have any answer for him for the moment. A man of that class gets one letter from the Black Hand and pays no attention. He gets a second letter, sells what he has and goes down to the steamship office and buys a ticket. That shows whether he believes in the Black Hand or not.

The worst of this Italian criminal question as far as it exists, and of course it does exist, is that to so large an extent we could prevent the coming of the Italian criminal, and we may deport the Italian criminal that is here. If the Board of Aldermen in New York City would give Commissioner Bingham the secret service fund that he asks for, there are enough ex-Italian policemen in New York of the *Carabinieri*, one of the best forces in the world, to cause a wholesale exodus of the Italian criminal, not only from New York, but from every city on the seaboard, within the next year.

Italy does not impose its criminals upon us. They enforce our law in their country as well as any foreign government will enforce the law of another country. The law is that no man who has been in jail in Italy can get a passport to come to this country, and that looks broad enough on its face, and with some exceptions no criminal does, but here is what they do. They get a passport to go to Canada from some prefects, not from others. They get a passport to go to Switzerland from any prefect. They go down to the seacoast and ship as sailors at Palermo, and they used to go as far as Messina, in Sicily, and then the captain of the ship took them to the captain of the port and got them seamen's discharges. Then they went back to Palermo and shipped as seamen on a foreign ship and came to this country as members of the crew, and you will find instance after instance, on some of the foreign lines, where they absolutely shipped sailors, stewards, and so forth, putting them on the ship's articles only for the outward voyage. The United States Supreme Court has held that no matter what those men are, whether diseased, paupers, criminals or what, they do not come under the alien immigration law, and we cannot exclude them. The next time you look at the immigrants pouring out of the third class, and you shudder with horror because you assume that most of those men are embryo anarchists; and certainly criminals, do not shudder any more, because such of the criminals as come do not come that way. You are in a great deal more danger if you wander around in the part of the ship where the crew and stewards are than if you stick to the usually honest immigrant, who comes second or third class.

It would need but a slight agreement with the Italian Government to shut out from coming the majority of the Italian criminals. I said that no criminals come with passports except a few, and I want to indicate that class. Italy is not free from politics any more

than we are. They elect the city officials. The way a passport is gotten is for the man to go to the mayor of his commune and ask for a "nulla osta," which means there is nothing against him. If he has been in jail there is something against him; but I said to the mayor of a thriving city from which many come, "Suppose a man has been out of jail for two or three years, and he has a large family of influential friends, and he has behaved himself pretty well since he got out of jail, and they come to you and ask for a 'nulla osta' for this man, what would you do?" "Well," he said, "if the prefect of police has no objection, I don't object." After I had obtained that statement, the Italian official who had been going around with me saying how well the Italian government enforced the American law, said, "Of course we enforce the American law, but if you were a chief of police and there was a man who was making you a lot of trouble, and you had a chance to get him away and not come back, what would you do?" That is the way some get away.

Of course, the crime of the Italian is assault, murder, manslaughter—the crime of passion. The Italian tramp is almost a non-existent quantity. They all work, except these few from the big cities who live from the terror and oppression of their fellow-countrymen. There is no more vile or wicked criminal than the professional Italian criminal, and we should be thankful they are relatively so few in number.

The Greeks, so far as our investigation shows, are not criminals here. They get arrested for violation of city ordinances, they sell fruit without a license; in New York they run a pushcart when they have no right to. They do those things which a foreigner, ignorant of the customs and laws, quite frequently does in an alien country, but from the statistics the grave crimes with the Greeks are almost absolutely non-existent. They work. They get rich. They get rich more rapidly than any one else here except the Syrian, who in four or five years goes back to his own country comparatively a wealthy man. You ladies who the next summer will have come to your doors at the seashore or other places, the poor Syrian, selling you lace, perhaps ought to know, it ought to make some difference in the price you pay, that the Syrian goes back in four or five years with four, five, six, seven or eight thousand dollars in profits.

Those of you who are suffragists will perhaps be interested in

the knowledge that from Syria the woman sometimes comes first. It is the only country known from which the immigration comes that way. The women come first because they are better traders, better salesmen, and can get better access to the home than can the men, so the wife will come to this country and save up enough money to bring over her husband. Mrs. Bennet and I saw the unusual spectacle over in Syria of a woman starting to this country against the will of her husband. Her husband pursued her down to the train and attempted to take her from the train by force, but she was a woman, and she came.

The relation of the immigrant and the criminal may be summed up as follows: There is a great deal of exaggeration on both sides. Do not believe that the majority of immigrants coming here from the southern European countries are either criminals or have criminal instincts. It is not so. Think of them not as a mass, but with the knowledge that they are men and women, each with a separate individuality. On the other hand, do not believe that they are all angels by a good deal, because they are not. Centuries of oppression and centuries of want and poverty have not improved standards of living or character. They are better, perhaps, than we would be in their place, having undergone what they have undergone. On a general average, our American people are much better than they, as we ought to be with the opportunities that we have had.

Learn to treat the individual immigrant not as one of a nationality at all, bearing in mind always that we when we came were just as much of a problem to the people who were here as immigrants are to us, and not allow the crime of one Italian, in a moment of passion, to weigh for any more than the crime of an American, perhaps in a moment of deliberation.

Last night, in New York City, a discharged bartender walked out of a low-class saloon into the street and three men walked up to him. One of them had a revolver in his hand, which he placed right against the man's heart and shot him dead. The papers chronicled the fact, and they called it what it was—a murder. None of those men had South European names, and therefore there is no particular frenzy about it. It is a murder, a horrible, dastardly, brutal murder, and the police are trying their best to find the murderer. That is all right; but suppose the man had been an Italian, and the men who shot him down Italians; would the newspapers

have been as restrained in relation to it? Not at all. Some of our newspapers would have had headings, "The Beginning of Another Wave of Crime." It makes a difference who makes the killing, and yet in each instance it would be a man killed and a murderer who did it. Do not let us get wrought up about this either way. The percentage of crime is not particularly large, even in our state, where thirty-four per cent. of all the immigration is now stopping; not only thirty-four per cent., but most of the least wealthy, the weakest physically, are stopping right in New York, because they have not the money to go out to Nebraska, where in about two months they will be going out with lassoes to get innocent tourists to gather the crops in. They talk about immigration in the winter and abduct the tourist in the summer. It is not inconsistent; it is simply American.

IMMIGRATION AND THE AMERICAN LABORING CLASSES

By JOHN MITCHELL,

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In discussing the subject of The Relationship of Immigration to the Condition of the Laboring Classes in the United States, I want to present the matter from the standpoint of a workman. I have spent all my life either as a workingman or as an employee of workingmen; hence I have had an unusual opportunity to observe the influence of immigration upon the standards of living among workingmen.

At the outset I wish to lay down the fundamental proposition that a low standard of living is not compatible with a high race development. I have absolutely no prejudice against the immigrant; I have no sympathy with the spirit that has made a slogan of the words, "America for the Americans." While I am an American in all that the word implies, I believe that we should welcome to our country all the white races from every part of the earth; provided, however, that in coming here these immigrants do not lower our American standard of living; and provided further, that they be admitted only in such numbers as will make it possible to assimilate them and bring them up, within a reasonable time, to the standards of life and labor which have been established here.

Those who are familiar with the migration of races from one country to another know that in the early history of this Republic every healthy immigrant arriving upon our shores was an asset to us; but during the past ten or fifteen years immigration has increased so rapidly and has reached such stupendous proportions that many of these immigrants, instead of being assets, are in reality liabilities. A man is of value to this country only so long as his presence here makes for the betterment of the people and the institutions of the country. If more immigrants are admitted than are required to fill unoccupied positions, and if, as a consequence, they are compelled by their necessities to compete with Americans for

positions, and if as a result of such competition the standard of living is lowered, then such immigration will not make for either the commercial or the moral advancement of the people of our country.

During the past ten years 8,515,000 immigrants have been admitted to the United States. More people have come to America in the past ten years than have gone from one country to another heretofore during any one hundred years. In ten years the net gain in our population from immigration alone has been nearly 6,000,000. I submit that notwithstanding the unprecedented development of this country and the unusual opportunities existing here, we cannot assimilate five or six million people every ten years. Last December, as a result of the most careful investigation, it was ascertained that in the United States there were some 2,000,000 men out of work. At the present time it is safe to say that there are still approximately 2,000,000 persons in enforced idleness. Yet, in the face of this, during the past three months the emigration to this country has been at the rate of 1,000,000 annually. About 200,000 immigrants have been admitted during this period. They have come at a time when 2,000,000 persons, principally Americans, are on the streets looking for work. Surely these immigrants, arriving under such conditions, contribute nothing to the commercial, intellectual, or moral advancement of our country or its people.

We Americans are prone to speak with disrespect of the tramp; we characterize him as a "hobo," and frequently we call him a criminal. When I was quite a young boy, I, with many others, was thrown out of employment, our places having been given to immigrants who would work cheaper. Being unable to secure work at a living wage nearer home, I was compelled to travel, walking most of the way, nearly 1,500 miles in search of employment. During this journey I saw hundreds of men walking from place to place looking for work, and I have seen them forced to ask for bread. In no case did I ever see a man ask for bread without observing that the effect upon him was most degrading and demoralizing. In begging for food a man's sense of pride and shame suffers a most serious shock, and in time it is entirely destroyed. Finally he becomes accustomed to the new environment and often joins permanently the army of tramps and mendicants.

It may not be uninteresting to observe that while looking for work myself and during the many years of my activity as a leader

of workmen, I have never seen a newly-arrived immigrant tramp the highways seeking employment. On the surface, this statement may seem to be a tribute to the immigrant; but, as a matter of fact, properly interpreted it means that the newly-arrived immigrant has underbid the American workman and secured his job. He has sent the American workman "on the road" by taking the place he held at a rate of wages lower than the American would accept. It may be said in answer that the American should work for as low wages as the immigrant; that half a loaf is better than no bread. But there is a standard of ethics among American workmen which deters them from working for less than the established rate; they would rather tramp than reduce the wage scale or lower the standard of living. In this position they are right, because if they reduced the wage scale to keep themselves employed, it would be a question of only a short time before the entire wage scale would be lowered and the standard of life and labor among all workmen would deteriorate.

Conditions in America are not so favorable now for a large immigration as they were years ago. In the early times immigrants could be so distributed throughout our cities and rural communities that the Americans and those with American standards remained in such ascendancy that they were able to assimilate the immigrants, thus maintaining the standard of living, and no harm was done. But during the past twenty years the immigrant has not been distributed promiscuously throughout the country; on the contrary, he has been colonized, and there are many communities in which scarcely a word of English is now spoken. We find in our large cities, districts called "Little Hungary," "Little Italy," the "Ghetto," and in these colonies the people live practically as they lived in the countries from which they came.

In the coal fields of Pennsylvania, in which mining was formerly carried on by Americans, or by English-speaking immigrants, an entire transformation has taken place. About thirty-five years ago emigrations were started from southern Europe and these men were put to work mining coal at one end of the great anthracite valley. Those of you who have read the history of the Huns and the Vandals and how they overran the countries of Europe, can see in Pennsylvania a peaceful repetition of that invasion. Slowly but surely these men from southern Europe, coming year by year in

ever-increasing numbers, drove before them the miners and mine workers who preceded them as workmen in the coal fields. Not a violent blow was struck; not an unlawful act committed; but just as surely as, in the history of nations, one race ever over-ran another, these people from southern Europe over-ran the English-speaking people of the coal fields. They drove them from town to town and from district to district, until the English-speaking miners made their last stand at the upper end of the valley, where mining ceases and the coal out-crops. In a few years more they will have disappeared altogether. They have been driven entirely from their homes and the homes of their ancestors. The whole region is now populated by non-English-speaking people. Cities with a population of 20,000 are just the same as are some of the cities in southern Europe. Children are being reared amidst surroundings which will retard for two or three generations their assimilation and their development into real Americans.

Years ago the child born of foreign parents in this country lost all characteristics of, even the resemblance to, the race whence he came; he took on the type of the American; but such is not the case in communities where immigrants are colonized. True, their children are required to go to school and they learn to read and write. Under proper conditions and given a fair chance, they would develop rapidly, but the absence of the American standard of living and the American ideals renders it impossible that children in these districts shall make progress rapidly. The parents of these children grew up in their own countries under conditions dissimilar to the conditions established here; they started to work when they were five or six or seven years of age. It is difficult for them to understand the necessity of having their children remain in school until they are fourteen years of age; yet we Americans would regard it as an outrage if our children were compelled to work in the mines, the mills or the factories before they were fourteen years of age.

The system of colonizing immigrants is not only destructive of the standard of living of wage earners, but it is a menace to American ideals. The American workingmen—and this includes, generally speaking, the immigrants now in our country—favor legislation which will reduce the number of immigrants seeking admission and raise the standard of those who gain admission. This legisla-

tion is calculated not only to benefit the American workingman, but it is equally in the interest of the immigrant already here. We propose that the head tax of four dollars which an immigrant must now pay as a condition of being admitted to our country shall be increased to twenty dollars, and that it shall be required of a prospective immigrant that he be able to read or write some section of the constitution of the United States, either in our language, or in some other language. A law of this kind would not evade or violate our treaty obligations with other nations, because it would affect all nations alike. I feel sure that a provision of this character would not be regarded as revolutionary or radical, and yet it would have the effect of excluding thirty-three per cent of those who under the present laws seek and secure admission at our ports. I believe that we could with safety to ourselves and with broad-minded justice to the people of other countries, admit and assimilate from 150,000 to 200,000 immigrants each year; but we cannot continue, without injury to ourselves, to admit a million people every year. Cosmopolitanism, like charity, begins at home; and while we must continue, within proper limitations, to be an asylum for the oppressed and persecuted people of the world, yet in doing this we must be mindful of our obligation to maintain a high standard of life, labor, and civilization in our own country.

RACE PROGRESS AND IMMIGRATION

BY WILLIAM Z. RIPLEY,

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The first impression from comparison of our original Anglo-Saxon ancestry in America with the motley throng now pouring in upon us is not cheering. Most of the pioneers in early days were untutored but intelligent, rude but virile, lawless, perhaps, but independent freemen. They were largely of one ethnic stock or, at all events, a combination of the best strains. The horde now descending upon our shores is densely ignorant, yet dull and superstitious withal; lawless, with a disposition to criminality; servile for generations, without conception of political rights. It seems a hopeless task to cope with them, to assimilate them with our present native-born population. Yet there are distinctly encouraging features about it all.

These people in the main have excellent physical qualities, in spite of unfavorable environments and political oppression for generations. No finer physical types than the peasantry of Austria-Hungary are to be found in Europe. The Italians, with an out-of-door life and proper food, are not weaklings. Nor is even the stunted and sedentary Jew—the third great element in our present immigrant horde—an unfavorable vital specimen. Their careful religious regulations have produced in them a longevity even under the most unfavorable environments, exceeding that of any other large group of the people of Europe. Even to-day, under normal conditions, a rough process of selection is at work to bring the better types to our shores. We receive in the main the best, the most progressive and alert of the peasantry and lower classes which these new lands, recently tapped, are able to offer. This is a feature of no mean importance to begin with.

The great problem for us in dealing with these immigrants is not that of their nature, but of their nurture. Barring artificial selection by steamship companies and the police, we need not complain in the main of the physique of the new arrivals. Our care should be to protect and improve that bodily condition or, at least,

to minimize the influences which tend to depress it. We need the manual labor of these people. But we must not use them up or permit their vitality to be unduly sapped. They are fellow passengers on our ship of state; and the health of the nation depends upon the preservation of the vitality of the lower classes. This is especially needful under modern conditions of congestion of population in great cities.

The preservation and upbuilding of the physique of these people is, moreover, distinctly an economic problem. It naturally separates into two parts. One is the proper feeding and housing of the present generation, the protection of a minimum standard of living; the other, and more potent factor, is provision for the next generation. This means primarily the preservation of sound conditions of home life. This is the only safeguard for the future. The most alarming feature of the vital condition of the immigrant class today is the threatening effect upon the birth rate and at the same time upon the vitality of those who are born—of the pressure of industrial life upon the family. The presence of large numbers of adult unmarried men of the lower class in any community inevitably leads to immorality. A vicious youth too often means not only a small number of offspring, but a tainted one as well. The sudden change of environment is upsetting enough to immigrant youth under any circumstances. When to this is added a prolonged bachelorhood because of the high cost of living, and especially of rent, the danger is increased many fold. Perhaps the most serious aspect of the physical problem before us is that of postponed marriage. Some of the evidence under this head I have set forth in statistical fashion in a recent number of the *Journal* of the Royal Anthropological Institute of Great Britain. The material is hardly suitable for presentation at this time. But it is important that public attention should be turned to it as an outgrowth of our present economic conditions.

The significance of the rapidly increasing immigration from Europe in recent years is vastly enhanced in the United States by a powerful process of social selection. Racial heterogeneity, due to the direct influx of foreigners in large numbers, is aggravated by their relatively high rate of reproduction after arrival; and in many instances by their surprisingly sustained tenacity of life, greatly exceeding that of the native-born American. Relative submergence of the domestic Anglo-Saxon stock is strongly indicated for the

future. "Race suicide," marked by a low and declining birth rate, as is well known, is a world-wide social phenomenon of the present day. Nor is it by any means confined solely to the so-called upper classes. It is so notably a characteristic of democratic communities that it may be regarded as almost a direct concomitant of equality of opportunity among men. To this tendency the United States is no exception; in fact, together with the Australian commonwealths, it affords one of the most striking illustrations of present-day social forces. Owing to the absence of reliable data, it is impossible to state what the actual birth rate of the United States as a whole may be. But for certain commonwealths the statistical information is ample and accurate. From this evidence it appears that, for those communities at least to which the European immigrant resorts in largest numbers, the birth rate is almost the lowest in the world. France and Ireland, alone among the great nations of the earth, stand lower in the scale. This relativity is shown by the following table, giving the number of births in each case per thousand of population:

BIRTH RATE (APPROXIMATE).

Hungary	40
Austria	37
Germany	36
Italy	35
Holland	33
England, Scotland, Norway, Denmark	30
Australia, Sweden	27
Massachusetts, Michigan	25
Connecticut, Rhode Island	24
Ireland	23
France	22
New Hampshire	20 (?)

This crude birth rate, of course, is subject to several technical corrections, and should not be taken at its full face value. Moreover, it may be unfair to generalize for the entire rural West and South, from the data for densely populated communities. Yet, as has been observed, it is in our thickly settled Eastern states that the newer type of immigrant tends to settle. Consequently, it is the birth rate in these states, as compared with that of the new-comer, upon which racial survival will ultimately depend.

The birth rate in the United States in the days of its Anglo-Saxon youth was one of the highest in the world. The best of authority traces the beginning of its decline to the first appearance, about 1850, of immigration on a large scale. Our great philosopher, Benjamin Franklin, estimated six children to a normal American family in his day. The average at the present time is slightly above two. For 1900 it is calculated that there are only about three-fourths as many children to potential mothers in America as there were forty years ago. For Massachusetts, were the old rate of the middle of the century sustained, there would be 15,000 more births yearly than now occur. In the course of a century the proportion of our entire population, consisting of children under the age of ten, has fallen from one-third to one-quarter. This, for the whole United States, is equivalent to the loss of about 7,000,000 children. So alarming has this phenomenon of the falling birth rate become in the Australian colonies, that in New South Wales a special governmental commission has voluminously reported upon the subject. It is estimated that there has been a decline of about one-third in the fruitfulness of the people in fifteen years. New Zealand even complains of the lack of children to fill her schools. The facts concerning the stagnation, nay even the retrogression of the population of France, are too well known to need description. But in these other countries, the problem is relatively simple, as compared with our own. Their populations are homogeneous, and ethnically at least, are all subject to these social tendencies to the same degree. With us the danger lies in the fact that this low and declining birth rate is primarily confined to the Anglo-Saxon contingent. The immigrant European horde, until recently at least, has continued to reproduce upon our soil with well sustained energy.

Baldly stated, the birth rate among the foreign-born in Massachusetts is about three times that of the native-born. Childless marriages are one-third less frequent. This somewhat exaggerates the contrast, because of differing conditions as to age and sex in the two classes. The difference, nevertheless, is very great. Kuczynski has made detailed investigations as to the relative fecundity of different racial groups. The fruitfulness of English-Canadian women in Massachusetts is twice that of the Massachusetts born; of the Germans and Scandinavians it is two-and-a-half times as

great: of the French-Canadians it is thrice; and of the Portuguese four times. Even among the Irish, who are characterized nowadays everywhere by a low birth rate, the fruitfulness of the women is fifty per cent. greater than for the Massachusetts native-born. The reasons for this relatively low fecundity of the domestic stock are, of course, much the same as in Australia and in France. But with us, it is as well the "poor white" among the New England hills or in the Southern states as the town dweller, who appears content with few children or none. The foreign immigrant marries early and children continue to come until much later in life than among the native-born. It may make all the difference between an increasing or declining population whether the average age of marriage is twenty years or twenty-nine years. The contrast between the Anglo-Saxon stock and its rivals for supremacy may be stated in another way. Whereas only about one-ninth of the married women among the French-Canadians, Irish and Germans are childless; the proportion among the American-born and the English-Canadians is as high as one in five. A century ago about two per cent. of barren marriages was the rule. Is it any wonder that serious students contemplate the racial future of Anglo-Saxon America with some concern? They have witnessed the passing of the American Indian and the buffalo, and now they query as to how long the Anglo-Saxon may be able to survive.

On the other hand, evidence is not lacking to show that in the second generation of these immigrant peoples, a sharp and considerable, nay, in some cases, a truly alarming decrease in fruitfulness occurs. The crucial time among all our newcomers from Europe has always been this second generation. The old customary ties and usages have been abruptly sundered, and new associations, restraints and responsibilities have not yet been formed. Particularly is this true of the forces of family discipline and religion, as has already been observed. Until the coming of the Hun, the Italian and the Slav, at least, it has been among the second generation of foreigners in America, rather than among the raw immigrants, that criminality has been most prevalent. And it is now becoming evident that it is this second generation in which the influence of democracy and of novel opportunity makes itself apparent in the sharp decline of fecundity.¹

¹This topic is more fully treated by the author in the Huxley Memorial Lecture before the Royal Anthropological Institute of Great Britain; published in its *Journal*, Dec. 1908.

Another feature of the physical side of this problem is the effect of intermixture of these various peoples upon the future population of the United States. It is inevitable that they should intermarry, and it is best that it should be so. One cannot contemplate without deep concern a future in which we should be divided permanently into groups of different nationalities, each preserving a large measure of its individuality intact. Such a state of affairs has for years been the curse of Austria-Hungary and the Balkan States. There must be a gradual amalgamation; in time even comprehending all the various peoples of Europe within our borders. That the lines should best remain sharply drawn between the white and the yellow and black races is, however, equally clear. The evidence as to the effect of such crossing of different European types is meagre. In a measure we must fall back upon general considerations. Going back far enough, it is clear that all the peoples of Europe are a hodge-podge of different stocks. Take Italy, for example. In *The Races of Europe* I have shown in detail how the people of this little country are compounded of two racial stocks, as different in physical type as the poles. These two stocks are almost pure in the north and the south, respectively. They are indissolubly intermingled all through the middle provinces. Shall any one dare to affirm that the peasantry about Rome are inferior in any way to those of Piedmont or Sicily? It would be a most difficult task to prove it.

In addition to this sort of general evidence there is material of a more definite kind. Who among distinguished men have an ancestry of a mongrel sort? A number of brilliant instances can be cited. The most extreme, of course, is Alexandre Dumas, in whom West Indian negro blood did not prevent his attainment of great distinction. But our evidence need not be so radical as this. Crosses between white and black races are seldom successful, physically at least. One can never be sure how far this is due to social causes. But in cases of crossing between different branches of the white races no such detrimental social or economic influences are brought into play. Alexander Hamilton was certainly a brilliant example of intermarriage between French and English stock. In the same group may be classed such notable men as Du Maurier and St. Gaudens. Dante Gabrielle Rossetti stands for a still greater strain of the bonds of nationality. In the union of Greek and

Irish blood in Lafcadio Hearn we have as rare an exotic physically as he was an unusual intellectual product. It would be interesting to gather evidence of this sort widely, but these few examples show that intermixture is, at all events, not destructive in its effects. The present tendency of the Irish women among us to intermarry with all sorts and conditions of men, even of the Mediterranean stocks, may be watched with interest in this same connection.

The mental and moral nurture of these immigrants is of equal importance with their physical preservation—to the native-born American it is of even more concern. For, although we might conceivably struggle along under the economic burden of an overload of physically defective people among us, the very existence of the republic as a political and social unit is threatened by any deterioration of the mental and moral character of the lower classes. If we permit these people to come in order to hew our wood and draw our water we must in our own selfish interest assume the added responsibility of caring for their minds and souls. This means the adoption of an active programme of social betterment. Such a programme is, of course, of primary importance for the children and young people. It is in this class that the University Settlements, like Hull House in Chicago, and the South End House, in Boston, are doing their best work. There must be more and better schools, with such radical innovations as lunches for the small children, as are now in practice provided in several places. The factory laws in especial must be adjusted to fit the school laws. Persons of tender age must be protected from the greed alike of employer and of selfish parents. Humane regulation of hours, provisions for decency, sanitation and safety must be enforced by law. This is already, of course, done in the more progressive states, like Massachusetts, New York and Illinois. But a social programme for the young people must go beyond this point. It must include parks and playgrounds in the congested immigrant districts, as well as public baths and open-air gymnasias. The libraries must be adjusted to the needs of the young as well. They must devote their attention not to the supply of the latest fiction to childless American women, but rather to the development of neighborhood reading rooms, children's departments, and like endeavors. Uplifting influences of these sorts to meet the needs of the women and children of the immigrant classes are imperative as a safeguard for our own political existence. Of course,

it will be expensive to do all these things. But so are hospitals, almshouses, prisons and asylums expensive. It is surely the part of wisdom to submit to taxation for the prevention rather than for the cure of social evils.

What of the social programme for adult immigrant men. Not seeming or shrewd philanthropy, not autocratic welfare work, aimed to bind the workman to his job, like the old Pullman establishment or too many of the newer elaborate programmes, are what is needed. Opportunity for self help and improvement should be the aim. This opportunity should meet three distinct needs of the individual. The first is that of decent housing at a reasonable price. The family as a social unit is absolutely dependent upon this condition. This by implication means adequate transportation and the strict regulation of public service companies.

The second opportunity which must be kept open to the immigrant is that of self help by organization. The trade union, stripped of certain of its notorious objectionable features, has been one of the greatest factors in the advancement of the working classes in the last century. It is to a far greater degree than is ordinarily suspected a social and benevolent organization. Full scope for the development of the beneficent aspects of the trade union must be afforded under the law, with especial view to the protection of the individual members against unreasonable coercion by majority rule. The problems of minority rights in trade unions and industrial corporations are akin in many respects.

The third opportunity which must be held open to the immigrant is that of thrift and provision for sickness and old age. This does not mean simply savings banks; it should extend to reasonable facilities for insurance. The state need not directly intervene, other than to set up agencies, such as have recently been offered in Massachusetts, through which the poor may secure insurance as cheaply as the rich. The elimination of the wasteful private industrial insurance companies must be followed by the substitution of other means by responsible agencies, either the state or private organizations under strict public supervision. The rights of the individual against industrial loss must form a part of our social programme. One of the intolerable evils of the day, except in a few progressive states, is the unfair imposition of the entire loss in industrial accidents upon the working classes. The United States in this regard is

a full generation behind the principal countries of Europe. It is high time that other states awakened to a sense of their responsibilities and adopted the beneficent laws for employer's liability now in force in Massachusetts and New York. For even these states are a full stage behind Great Britain and Germany in securing a fair distribution of industrial losses between master and servant.

The highest obligation imposed upon the Anglo-Saxon by the presence of the alien in America is that of political and social virtue. The lesson must be afforded from above, that wealth is the reward of intelligent industry and thrift, and not of graft and greed. It must be made plain that progress results from the subjection by man of the forces of nature and not from the oppression by many of his fellow men. Social ostracism should be visited upon the successful but unscrupulous financier or delinquent director of corporations as it is visited upon the ordinary criminal of the lower classes. Political corruption by corporations desiring to control legislative bodies is as great, if not a greater, menace to our social welfare to-day than is the personal violence of the highwayman. To point this lesson has been the lasting service of Theodore Roosevelt as President of the United States.

It is imperative also that the courts be kept free to dispense even-handed justice. The dishonest director must be brought to account as strictly as the conniving business agent of trade unions. It is undeniable that the popular distrust of our judiciary is a distinct source of social unrest. The injunction as a weapon of defense for the employer is not applied in too many cases with entire impartiality, and the immigrant, all too suspicious of governmental agencies as a result of generations of oppression in Europe, is the first to be inoculated with this distrust.

It is of the utmost importance that the fullest allegiance of our immigrant population to the state should be awakened and maintained. No better political ideal to command their loyalty can be imagined than the description of Athens put by Thucydides into the mouth of Pericles in order to account for the love and devotion of her citizens to her welfare: "She wishes all to be equal before the law; she gives liberty; keeps open to everybody the path of distinction; maintains public order and judicial authority; protects the weak, and gives to all her citizens entertainments which educate the soul."

PART FIVE

*The Clinical Study and Treatment of
Normal and Abnormal Development*

A PSYCHOLOGICAL CLINIC

THE CLINICAL STUDY AND TREATMENT OF NORMAL AND ABNORMAL DEVELOPMENT

A PSYCHOLOGICAL CLINIC

BY LIGHTNER WITMER, PH.D.,
Professor of Psychology, University of Pennsylvania, Philadelphia.

I have said to the president of the American Academy that I would demonstrate for the benefit of the members of the Academy, the nature of the work which is being conducted here under the caption of the Psychological Clinic.

In the time at our disposal it will be impossible for me to give you more than a very superficial view. Some of you doubtless are interested in the scientific aspects of the problem. You would like to know what a psychologist is doing, what are the tests which he applies. This phase of the work I shall not be able to demonstrate. The tests which I shall make here this morning are very simple indeed, and are intended merely to put before you a few of the multifarious aspects of the problems with which we have to deal. They will have the purpose of making you acquainted with some of the physical and mental characteristics of the children in whom we are interested. I am going to proceed this morning just as I would in an ordinary clinic.

This little girl, whom I know quite well, has consented to come here this morning and make one or two of these simple tests.

(Professor Witmer takes the form board, which is a shallow oblong tray of light oak, having depressions of various shapes in its surface, into which fit ten blocks of dark walnut shaped like the depressions,—a square, circle, triangle, star, cross, semi-circle, and so on. He removes the blocks from their places and throws them on the table.)

Q. I am going to give you a new name this morning; you are going to be called Gertrude. What is your name going to be this morning?

A. Gertrude.

Q. Now if I make a mistake and call you by any other name, don't you answer. Gertrude, will you put these blocks back again? Do it just as quickly as you can.

It is an extremely simple test, but a very valuable one for those on the border line between normality and abnormality. The fact that she uses her vision and hands co-ordinately and without hesitation is proof enough in my opinion that the child is of approximately normal intelligence. Now I am going to ask a few questions.

Q. What is that (showing Gertrude a doll)?

A. A doll.

Q. What is that (showing her a toy dog)?

A. That is a dog.

Q. Have you a dog yourself?

A. No.

(Miss Elliott and Fannie enter, and the former is warmly greeted by Gertrude.)

This demonstration is just as important a disclosure of character as any test we may give.

Fannie, you take those blocks out (spoken in a low tone).

This child is deaf. I was lowering my tone in order to bring out that fact. She seems to be hearing quite well this morning, Miss Elliott.

(Miss Elliott.) Some days she can hear very well, and sometimes not so well. Sometimes it is normal.

It seems very nearly normal to-day.

(Miss Elliott.) In this kind of weather you might say it is all right.

Fannie, take up the doll for me. (Repeated louder and louder.)

Pick up the doll. (She does so.) Sit down in your chair. (She does so.)

Her hearing is very much better this morning than it usually appears to be.

Fannie, would you be willing to read a little for us? I do not know whether you have this reader in your school.

(Fannie reads.) See—my doll's—funny—carriage.

She has a lisping voice, that is a defect of articulation.

(Fannie reads.) I—have—brought—the—doll—with—me.

That will do Fannie, much obliged.

I want to say that the appearance of this child here before this large assembly, her ability to read before you, is really surprising to me. When I first saw this child about two years ago, she was one of the shyest children I have ever encountered, in fact part of her trouble was shyness. That shyness was bred of continued failure, without any doubt, and the reason this child is able to appear here this morning and read a few sentences, meagre as the performance may appear to you for a child of her age, is due to the fact that she has had the encouragement of success; she has been shown that she is able to do something.

Another cause of shyness was deafness. Originally her hearing was about one-fourth normal, perhaps worse than that. To-day it has considerably improved. Defective hearing produces shyness.

Defective hearing also produces other characteristics which were marked in this child,—sullenness and stubbornness. It was at first impossible for us, even in the quiet of the recitation room, with only one or two children, to get anything out of her at all.

These fits of sullenness and stubbornness were pathological, in the sense that they would come on apparently without sufficient cause, and would persist for half an hour or an hour. They were overcome simply through improvement in physical condition, and through subjection to the proper kind of educational treatment. I mention the fact because I want you to observe her actions here this morning. She is apparently a perfectly self-possessed

child, not at all shy, not at all sullen. The first time I ever showed this child at a clinic of this kind, she positively refused to do anything. She is the kind of child who, in the public school, if sent to the principal simply sits down in a chair or stands absolutely sullen, refusing to answer any question.

Now young man (turning to the boy R. S.), I am going to give you something very easy to do. I am going to ask you to read something for me. (The boy reads very low and hesitatingly. The children are then all sent out of the room.)

I am going to speak to you about these three children, Gertrude, Fannie, and the boy R. S. The boy you saw last is a child who is in course of treatment here. This morning is the second time I have seen him. The first time he came here was April the tenth. He came with a statement from the principal of the school which he was attending, that he was about to be expelled from that school or sent to truant school because of persistent stubbornness. The statement was also made that he is extremely backward in his studies.

He is an overgrown boy of twelve years of age. He is only in the third school year, so he has lost three years of the invaluable six or eight years of school life. He is not likely to get into the high school until he is eighteen, so he will undoubtedly be cut short in his educational work. This boy comes to the Psychological Clinic with the request that I find out what is the matter with him, and send some report to the principal and to his teacher. He is brought to me by his mother, who is perfectly willing to give a complete history. She has a family consisting of a number of girls. This is the first and only boy. Apparently she has always had trouble with him. She is one of those women who are always voluble about their troubles, and in his presence she tells how bad and obstinate he is,—practically giving up the task of discipline before her twelve-year-old boy. She cannot manage him any longer. This boy as I saw him for half an hour, does not appear to me to be a child who could be suspected of mental enfeeblement, and does not look or behave to me like a boy who would be especially difficult to manage.

When a boy comes into the school and manifests obstinacy there, we must remember that his behavior is in large part a product of his home treatment. The discipline of the child should begin the day he is born, and many children show lack of discipline in the schools when eight, fifteen, or perhaps twenty years old, because the initial lack of discipline was in the first, second, or third year of the child's life. These problems are being turned over to the schools. The home is practically asking the school to remedy its defects. We must assist the home in the better training and disciplining of these children before and after they enter school. Part of our work must be to send a competent social worker or teacher into the home.

This mother is perfectly willing to learn. Whether she is competent to learn I do not know. Perhaps she will be very resistive of an education, as many mothers are, but we must try to do it, and undoubtedly we shall find some who can be instructed and assisted. The usual fault is too much affection or too much and ill-advised discipline. Now we see in this boy certain marks or signs which suggest the advisability of suspending judgment for a

while. He is an extremely shy boy, and I wished to say very little about him in his presence, nor did I desire to put him to any test. His heart was beating violently, without a doubt, while he was in the room, and I did not wish to increase the strain in any way, so I let him go quickly.

This boy I suspected of having adenoids. I sent him over to the University Hospital, where a physician diagnosed the presence of adenoids, and on Monday morning he will be operated on for them. In addition he was sent to the medical dispensary, and in this work I may say that we are assisted greatly by Miss Ogilvie, who has charge of the social service department of the University Hospital. When we tell a parent or a teacher to take a child to a medical dispensary for adenoids or medical treatment, we have not assured ourselves that the proper treatment will be accorded to the child. We must follow the child into the dispensary and see that the child really gets the necessary attention. It is a question of time on the physician's part. He is overloaded with work in most dispensaries, and the very child for whom we think it is most important that he should give time and attention, is sometimes the child who may be brushed aside. If I suspect adenoids, and I get a negative report from one dispensary, I sometimes send him to another. Corroborative opinions are particularly necessary where one suspects defective action of the internal organs. It is easy to have adenoids diagnosed and cut out, but it is extremely difficult to find anyone who will make a careful investigation where there is some chronic digestive trouble, and who will give the prolonged and careful treatment which is required in these cases.

This boy seems to be on the verge of going to destruction. He is obstinate, likely to be thrown out of school. He is overgrown, precocious physically. He is already beyond the control of his family. I would say that his condition is just as critical as that of a patient who must be operated upon for appendicitis. Some do not think so. It is a chronic state; he is not going to suffer particularly to-day, to-morrow, or within five years possibly. Nevertheless it is critical, if we are interested in his taking the narrow path in preference to the broad road. We must see, therefore, that these children obtain the kind of medical treatment which we believe necessary for them. This child is reported from the University Hospital to have a mild myocarditis, and an arrhythmia of the heart, a fibroid lesion of the heart perhaps not active at the present time.

The redness of the hands was evidence to me of some circulatory disturbance. I am not a physician. I never diagnose,—not even a case of defective vision. My work is simply to find out what are the danger signs displayed in the child's mental and physical make-up, and when I find these danger signs there, I send the child to medical experts for diagnosis and treatment. If it would not overload the dispensaries, I should send every child for a thorough medical examination of eyes, ears, nose and throat, nervous system and internal organs.

This boy may be a moral degenerate for all I know at the present minute, and my work in a large number of cases means suspended judgment for a

time. Trust nobody's report of what the child has been like. One must rely chiefly on what can be found from direct observation and examination.

This other child, Gertrude, is a very interesting case illustrating just this particular point. She was brought to the clinic one morning by Miss Campion, a representative of the Children's Aid Society in this city. She had previously told me that the child came from a county poor-house in the state; that she had been brought by the authorities of that county to the city of Philadelphia with the statement that she was a menace to the other inmates of the institution.

In the care of the Children's Aid Society, the child had been placed in a hospital in this city, and the report from the hospital was that the child was a danger to the other children and they wanted to get rid of her as soon as they could. At the time I first saw her, the child was living in a boarding house in this city, being boarded out by the Children's Aid Society, and the report was made that the woman in charge of the boarding house found it necessary to give the child valerian every day in order to keep her quiet. Gertrude was subject to outbursts of passion, in which she was dangerous to other children of her own age or older, and to adults. With little children the statement was made that she was usually kind, and Miss Campion herself made the same observation.

There was a report from a physician who had examined the child, which warned the Children's Aid against putting her with normal children, and the question was put to me whether I thought there was any likelihood that the care of this child could ever be confided to some family who might be willing to take her for adoption. On her history, no society would be justified in getting anyone to look after the child. When Gertrude first came into the clinic, I felt that this was a case I could dispose of in a moment. I then had before me the physical picture of degeneracy, and at times,—I do not know whether you felt so this morning,—the child's appearance is such that one could easily suspect her of mental and moral degeneracy. But when you receive a report like the reports spread about this child, you may be sure your interpretation of what you see in her face will tend to substantiate the reports. Fifteen minutes' examination showed me that I had to deal with a child not mentally deficient, but rather above than below ordinary mentality. Subsequent observation has confirmed that judgment.

I came to the conclusion that any retardation the child showed in her school work (and she was retarded,—she cannot really read at the present time), was simply due to the fact that she had not been educated. Why, I am not able to say, but it is lack of education, not lack of ability.

As to the existence of moral symptoms, no examination of fifteen minutes can be conclusive. I simply said, "I will have to keep the child under observation." I put her with a woman in whom I had confidence, in order to try her out. Miss Campion succeeded in raising the money for the child's support. After she had been ten days in this house, living with the little girl Fannie, not being a serious menace but nevertheless rather troublesome,—she was entered in the first grade of a public school. She staved in that grade two months, but did not get on particularly well. The principal reported that

she was troublesome and required too much individual care from the teacher of the grade who had charge of her.

I then took the child into the Hospital School, where she has been for five weeks. She is a source of great trouble to us. She is the most expensive child in the school, in the sense that she takes more of the time of the people who are taking care of those children, than do the others, and the reason, in my opinion, that she is so difficult to handle is because she is so normal. I am ready to be shown that I have made a mistake in this case, but I believe I have ninety-nine chances out of a hundred of being right. Of course, I am expressing a prognosis, and a prognosis in regard to a child's mental and moral future is a risky thing to make, even for a normal child. But I say this child is normal mentally and normal morally, and I think she has the stuff in her to make it possible for her to develop into something worth while. For that very reason, she is difficult to handle in the institutions in which it has pleased society to place her. The child has fight in her. She has been fighting like a rat in a corner. Now your institution child, the one who does nicely, is the one who stays where he is put,—apathetic, a nice child. He is the cheapest child the institutions can possibly handle; he does not require any individual attention.

This child will not stay where she is put. She is very troublesome, always up to something. The more you punish her with violence, the more obstinate and stubborn she becomes.

This child has good concentration of attention. When she is interested in a bicycle or roller-skates, she has that on her mind and nothing else. That is what we want in education. If used in the right way and developed in the right direction, you have something which you will never have in the child who is willing to take up one thing as well as another.

Gertrude is also an extremely imaginative child. While taking her to school one day, she said to my assistant, "Everybody spoils me very much. I suppose that is the reason I am so much trouble." Now if any child had not been spoiled, this one had not, except entirely in the wrong sense of the word. For all I know, she may think she is some little princess. She certainly manifests intense imagination. Thus she walked lame for two or three days at one time, imitating another child in the school, until she was put to bed, which cured her lameness. You saw how well she did here. She entered into the spirit of the occasion and did this work well. I can take a splendid photograph of this child, because she has perfect lack of self-consciousness. She would make a good actress. At the same time she is very emotional and responsive. You saw how she greeted Miss Elliott. She would have greeted Fannie in the same way except for the fact that she has been told she must leave Fannie completely alone.

Now this child is suffering from what I suppose may be called physical degeneracy. She has a few very slight, but yet noticeable marks of the effects of an infectious disease, probably congenital, from which she has recovered, but the effects of which have not been entirely outgrown. This is a physical handicap of a slight sort which the child will probably carry more or less through life. She cannot help it. It is due to the sins and misfortunes

of her father and mother, but for the rest it remains for society to repair that damage, and at the same time to see that this child has a chance in an environment that is suitable for her development.

The other case, Fannie, is the one that I selected for presentation here because it brings up in specific form the social and economic issue. Here is a child, one of seven, of Russian Jewish parentage, living in two or three rooms, brought out here to the clinic two years ago by Miss Stanley, head school nurse in this city. "Is the child feeble-minded?" That was the question, practically, which was asked of me. She had been two years in the first grade and had made no progress, and there was no chance of her being advanced into the grade above. "Is she feeble-minded?" It appeared to me that whatever the answer to that question might be, the first thing in importance was that the child was deaf. She could not hear my questions unless I had her right close to me and yelled in her ear. The next thing in importance was adenoids. The next, that she was suffering from insufficient and improper food.

Now what are you going to do with a case of this sort? For two years I have had her under observation. I take a case of this sort for the purpose of illustration. I do not expect ever to have another case like Fannie. It is too expensive, for one thing. But I do expect to finish up with this case and place it before the community as an illustration of what can be done in certain cases. Here is one of a large number of children. At eight years of age this child was already hit, knocked out by the social and economic environment into which she had been born. Insufficient food and bad air gave her adenoids. The adenoids gave her middle ear disease, and middle ear disease made her deaf. The deafness has been largely corrected, but the child is still deaf. To-day it is surprising to me how well she hears, and it has encouraged me to think that her hearing may be restored to normal, but I have always been very doubtful about that. More than this, the child has been of the greatest interest and stimulus to me from the psychological standpoint. In making out the mental status of a child we have to deal, in the first place, with the senses and activities of the child. For one thing, Fannie lacked the sense of hearing, and she lacked articulation.

We found the first Christmas she was with us, that this eight and a half years' old child did not know the word "bird," and was absurdly ignorant in many other respects, not because she was feeble-minded, but simply because she was deaf. Feeble articulation increased her deafness for words. The sensory and motor sides must be corrected simultaneously.

Every child has a group of,—instincts is about all we can call them,—traits of character if you choose. These traits of character are a result of the development of the child's nervous system. We cannot say whether they are inherited or not. They come into the child as a part of the general inheritance. Imitation is one such instinct; curiosity is another; affection is another. This child, when she came to us, had no affection; she was sullen and apathetic; she was stubborn, showed no signs of vanity, and no imitation,—a sort of cabbage which you might have around in your garden.

It was not psychological treatment that was required by this child.

What was needed was psychological insight in the person who was handling this child, but more than anything else in the world she needed good food. That is what helped to bring her up. She wanted something in her stomach which she could put into her nervous system so that it could grow. Where are you going to get it? I do not know. That is for an Academy like yours to decide. Do not bring social problems like this to the Psychological Laboratory. They do not belong here. The problem is an economic one and must be solved outside. I may be able to put this problem clearly before the community, in order to show that we must reconstruct the community before we can make many a child's mind develop in the proper way.

Fannie, when she came to us, knew nothing at all about affection. When she saw another child cry because she was homesick, Fannie only laughed in the most silly, idiotic way. This was an odd phenomenon. When she was petted, she laughed in the same silly way. At the present time Fannie is one of the most affectionate and demonstrative of children. She is still shy, though. Since she has had clothing and fairly good food she has vanity. Vanity is a most important instinct, both in the man and in the woman.

Take the other child, Gertrude, for instance. Gertrude would go to school washed up, nice and clean, her gloves tied to her coat, and she would come home looking as if a cyclone had struck her. She would not take care of her clothes. In a rich home they would be taken care of for her. It would not be serious in a rich home, but it is serious when you are trying your level best to have her supported at all. But this trait of character should not be used to misjudge the poor child. When we gave her a room, good clothes, and a bureau to put the clothes in, there was no child in the place who took better care of her clothes,—that is, her *good* clothes; she does not take much care of the others; she knows the difference. Gertrude has good taste. She can tell whether she likes a woman's hat, and she can tell you why she likes it. At least that is what the teachers report. I have not had any conversation with her on the subject.

I want now to say a word or two in regard to the general aspects of our work here. I began what I call the Psychological Clinic in 1896. I now use the term "psychological clinic" in three senses. The Psychological Clinic, or dispensary, is a place I have down stairs here. On certain days I am on hand to see children who are sent to us. We try to find out what is wrong, and we send the child to the proper agencies. What we need more than anything else is a number of efficient social workers who will go into the home and show how things should be done, and see that the child goes through the medical dispensaries.

Out of this work has come the Hospital School. That is to say, in the case of certain children like Gertrude, there is no means of finding out what the child's mental and moral status is unless you have had her under observation with the right kind of environment and with competent persons.

If the Psychological Clinic is going to do a large measure of service, it must do it through its education of the entire community. It must, through the reporting of its work and the development of an educational department in connection with a university like this, be able to give instruction to those

who will subsequently continue the work. For that reason I employed the term *Psychological Clinic* as the title of a journal which I started some two years ago, which is growing to be an extremely important factor in the development of this work. I must get reports of the work which we are doing here sent out into the world, and I must try to get people from outside to send reports in to me, so that there may be an interchange of experience and opinion. In this current number of the journal there are two extremely valuable and important articles, both by teachers of special classes. If we can once get the teacher of the special class to become articulate,—not only to do good work, but to talk about it,—if we can get such teachers to study their cases just as a physician studies and reports his cases, I think we shall have gone a long way towards solving the problem.

The psychological laboratory which will solve the problem is either the school room or the social settlement. If we can put the right people in to do the work, and then see that we get the right kind of reports of what they are doing, I shall feel that this work has at least been put upon a basis where it is likely to achieve results of some importance.

The Psychological Clinic in the third use of the term is a course of lectures and demonstrations similar to the one I have given you to-day. Once a week, on Saturday mornings, I give a lecture at which I bring children here, present them to the class, and then talk about the situation, the kind of treatment indicated, the results of treatment in progress, etc. This is the educational feature of the work, as it may be carried on as a department of university instruction.

I have said that one feature of this work is the special class in the public schools. I am going to show you a special class, a selection of children from a single school in the city of Philadelphia. Miss Maguire is the supervising principal of the Wharton Combined School. In that school was organized a special class. She has in her school 1800 children. I believe that every school with a population of a thousand has enough children to form a special class of fifteen to twenty-five. Miss Devereux is the teacher of this special class, and the record she has made in advancing some of these children I think is a very remarkable one, and I want Miss Maguire very quickly to run over a number of the children treated in that class.

MISS MAGUIRE.

The first case is Little Mary; sent to me three years ago from the first grade. In consequence of scarlet fever and diphtheria she could not at that time talk. We took her in, and mixing with sixty children in the first grade she learned to talk a little. At the end of two years we placed her in the second grade and she seemed to go back very rapidly, because everything was out of her reach then. Mary was placed in the special class formed at that time. Her mental and physical condition was at a very low stage.

She is now entirely dismissed from the special class, is doing second-year work, and will go to the third class in June. In every way the child's improvement is decided.

H. S., three years in the first grade—practically accomplished nothing—placed in a special class. Was a year in that class and spent part of the time in regular class. Now dismissed from special class and doing good work in second year. His eyesight was in a bad condition and had to be attended to. This was the case of a boy whom a trained psychologist had graded as an imbecile. He was three or four years in the first grade.

He has been examined and glasses prescribed. They helped him marvelously. The special work in the class, hand work, and study of his own particular condition have made the most remarkable results. A wonderful change has taken place in the child's physical appearance and mental condition. I am sure that if this boy had not had special training, with study of the child himself, and hand work, there is no doubt that he would have developed into a backward child of a very low type.

This little girl was sent from a school outside three months ago. Five years in the first grade—it was not a public school, so I may speak of it frankly in this way—five years in the first grade of a parochial school. I think in the public schools something would have been done in five years. She had been allowed to remain there five years, and at the end of the time was sent home to her mother with the statement that she was developing incorrigibility. She did not look like a hopeful case when she came.

Her personal appearance improved remarkably. I hesitated a good deal in putting her into the class, but I let her go into the class three months ago. She could not read a word, could count none at all, and we first had her do things around the room. We have been training her mind and hand, and her mother told me the other day that her improvement was marvelous. She now appears to be getting some of her words, and we are gradually teaching her to read, and we are depending very much on her hand work. I believe we shall be able to put the child into the second year at the end of this year.

This little child is a boy in our first year. He has done up to this time very little in the first year, so he has been put in the special class, where the hand training appeals to him greatly. He can do very fine work with his hand. His hand work is what we depend upon. The doctor diagnosed him as cretinoid.

Rachel is nearly twelve years of age and she is in our second year, but is not doing second year work. This child seems to be the most hopeless case in our school. I do not believe we can educate her enough to have her earn her own living. Without a great deal of care her conduct would be troublesome. In the special class we are able to interest her sufficiently to hold her attention. I do not think that we can ever discharge her entirely from our special class.

Jacob is one of our very fine specimens. He was also marked by one of our examiners as very low grade, and I thought him right in that respect. This child had very poor eyesight and his physical condition was very low. He is now one of the best boys in the second grade. I think sometimes we make backward children. We should study the children and see what needs to be done. This is a good example of what can be done with a thoroughly

backward case. His physical condition was such that he could not keep up with the class. After he had been trained to think and see he could keep up with the class. He is a good student and will go through school with very little difficulty.

This child was sent from an outside school. He was sent to me after three years in the first grade. His physical condition seems to be normal. I have not found out any reason why the child should not be doing something in the first grade, but in our first class he can scarcely do anything. Even after three months of very special training his power is very limited. He learns a word with great effort, recalls it and forgets it alternately. We are uncertain as to the outcome. He does take to his hand work and we are able to train his mind quite considerably through his hand work, and within a year we may be able to show why he was as he is to-day. I am sure we can say that the work of the regular class in the school would develop a very backward boy. He does not show any symptoms physically. He plays and is happy. He was the pitcher on a baseball team, but you cannot teach him to add and subtract. I brought him out to have Dr. Witmer tell me what was the trouble.

DR. WITMER.

Miss Maguire has given us an excellent presentation of the work of the special class. It is my opinion that we need special classes in all our schools, and the success of this class I want to say is dependent not only on the teacher of the class, on the supervision of Miss Maguire, but it has also depended on the work of Miss Stanley, the head school nurse, who, even before the class was organized, took an interest in many of these children, and visited them in the schools. Miss Stanley brought the child Fannie here first. The success of the work with this class is therefore not only due to such work as we may be doing here, and as may be done in the public schools, but is also due to the associated work done by the medical inspectors and the trained nurses.

We were to have had the pleasure of having Dr. Neff address us this morning. I had hoped Dr. Neff would speak on the subject of medical inspection, and especially on the institution case. If the public school endeavors to take care of the institution case I believe it will make a grave mistake. And yet there are many institution cases in our public schools to-day.

Dr. Neff not being present, I shall ask District Superintendent Cornman to say a few words in regard to a school for backward children which he has organized, and also in regard to the feeble-minded children in the schools of Philadelphia.

DR. CORNMAN.

The Adams School, Darien Street, below Buttonwood, is an instructive object lesson of the need and value of special classes for backward pupils as part of the public school system. It is in a semi-slum district where a considerable proportion of the population is near or below the poverty line. Some of the children have dissolute parents, many are poorly nourished and an unusually large proportion are both physically and mentally subnormal.

Individual examination of the 250 children of the school was made about three years ago. So many backward pupils were found that it was determined to utilize the building as a special school for backward children. About 160 children of fair or good mentality were transferred to nearby schools, while the remainder were retained for further diagnosis and educational treatment in small classes. Backward children from surrounding schools were transferred to the Adams, so that it now numbers, in the third year of its existence as a special school, about 190 pupils. These are under the care of two kindergartners, six grade teachers and a teacher of woodwork and other forms of manual training. The size of class has been reduced from fifty to about twenty-five per teacher. The classes are small enough, therefore, to permit the teacher to assist the pupil in accordance with his individual needs.

The children vary in capacity from the very slow or dull, who are held under observation to determine whether they shall be placed in a regular class or not, to the distinctly backward and even to the feeble-minded. Indeed it has been found necessary to assign to one teacher a group of twenty of the latter class, every one of whom is an institutional case. The feeble-minded present a most serious problem. They should undoubtedly be under permanent custody, but existing institutions are already much overcrowded. The true functions of the special school are seriously hampered by these cases, and it is a question whether they should not be refused admittance altogether. The little that can be done for them in special school may only aid them to take a place in the world where they almost inevitably drift into vicious and dissolute ways of living. They are, however, happier in the special schools than on the street or in regular classes, and their segregation in a special school is a standing object lesson of the necessity for their institutional care. If refused admission to special school the existence of these cases is liable to be concealed or ignored and the need of public provision for them fails to be appreciated.

The results have fully justified the conversion of the Adams into a special school. About a dozen pupils each school year make such progress that they are transferred to regular schools. A few of these are fourth grade pupils (the highest grade of the school) who have earned promotion to a nearby grammar school. The majority of the pupils, however, receive the greatest benefit by remaining in the school until they reach the age when they leave to go to work.

The enrollment at the Adams School represents about 4 per cent of the number of children of school age within walking distance of the school. This percentage, though higher than that which obtains for the city as a whole owing to the special local conditions, is an indication of the great demand for special classes for backward children. For the first time in the history of public education in this city, a careful census has been taken of the mentally subnormal children in the schools. This census has been made under the direction of the Bureau of Health, acting in conjunction with the Department of Superintendence of the Public Schools. Official report of the returns has not yet been made, but the preliminary count shows about 500 denominated as "feeble-minded" in all the schools of the city. Of these about fifty are enrolled in special schools, so that special provision is made for only about one-tenth

of all the cases. About 1500 "truant or incorrigible," one-third of whom are in special schools, are enumerated, and 3000 "backward," one-tenth of whom are in special schools, are reported. The number of defectives thus listed aggregates about 5000, or approximately 3 per cent of the public elementary schools enrollment. The census is an under rather than an over estimate of the number of defective children in the city. If the same percentage obtains in parochial as in public schools, about 1500 more must be added, while many not attending school at all would also swell the total.

Such provision as has been made for the subnormal children is both crude and inadequate. The buildings are, as a rule, in poor condition and not well adapted for the work. While many of the teachers are doing admirable work, they have not, as a class, been specially trained nor selected for it. Separate institutions are needed for the permanent custody of the feeble-minded. A considerable proportion also of the truant and incorrigible class are of such a character, or have such home environment that they should be cared for in a parental school, and at least 100 additional special classes for the backward should be established. It is evident that the problem of the training of the defective child is a serious one. It is to be hoped that the report of the census by the Bureau of Health will arouse the public to an appreciation of its importance and result in adequate provision being made by the educational authorities.

At the conclusion of Dr. Cornman's address, Dr. Witmer introduced Mr. Otto T. Mallery, who read the following paper on:

Playgrounds as a Municipal Investment in Health, Character and the Prevention of Crime¹

There may be some misguided persons, of course not among the membership of the Academy, who are under the impression that play is something trivial, something incidental, something unimportant done between hours of work.

Such a person may be converted to the Gospel of Play by observing a small boy standing on his head. Every muscle is under orders. His attention is concentrated and his will issuing peremptory commands to all parts of the organism. The whole boy is very much alive, keen, alert. His head, both outside and inside, is undergoing quite as great a strain as though he were studying a book. A moment's wool gathering at his books is possible without serious mental prostration, but a moment's wool gathering with his feet above his head results in physical prostration of the most ignominious sort. Play is a great mind as well as muscle builder. Self-control under stress; loyalty, obedience and fair play in team games and a sense of subordination of the individual to the welfare of the team, are all not only ideals of the playground, but ideals of character as well.

If our misguided person needs to be reinforced by observation of the other sex, he will find an unconscious missionary of the Gospel of Play in a girl of six, seated upon a pile of builders' sand in the street. The little girl has found the sand plastic. She is molding the sand, impressing her character

¹With acknowledgments to Mr. Joseph Lee.

upon it. Most of the things of the street—its filth, its standards, its diseases—impress their character upon her, whether she wishes it or not. Over the sand she is the commanding purpose, the arbiter of its shape. She is exercising her creative, her formative instinct. The child is making something, perhaps the first thing she has ever consciously made, and making things is an important part of being alive. Wherever children are gathered together, on the sands of the sea or the sands of the street, this universal creative instinct comes into action. Creation and recreation are closely allied.

The first commandment in the Gospel of Play is: "Thou shalt play with all thy mind and with all thy strength, and with thy neighbor as well as by thyself." This is implied in "Thou shalt love thy neighbor as thyself," for psychologists and experience alike tell us that in group play our social affections are first developed. So in many other directions the influence of play upon the normal growth of the character and health of a child is traceable. Play is as necessary to a child as light and air to a growing plant, and yet modern industrial conditions have deprived the majority of city children of the exercise of this universal instinct in its proper form. "In the planning of our cities the children have been left out," and as a result American municipalities have serious social problems to solve.

One hundred and seventy-seven American cities have opened supervised playgrounds, and the playground movement has gained its impetus upon the sound argument that playgrounds are a good municipal investment in health, character and prevention of crime.

Chicago has spent \$11,000,000 upon a system of playgrounds which Theodore Roosevelt describes as "the greatest civic achievement of the age." One-tenth of the area of the city of Boston is devoted to parks, playgrounds and bathing beaches. The administration has undertaken the development of the children with the same care upon the physical as upon the educational side. New York demolished a block of tenements at a cost of nearly \$2,000,000 and established a playground upon the site. Where once several murders were committed each week, now a thousand children are playing each day. New standards have been set up and the influence of the playground is felt throughout the neighborhood. Other smaller cities have made great strides towards an adequate playground system, which shall offer healthful organized activity to every child.

The influence of playgrounds upon civic health is obvious. The International Tuberculosis Conference has placed playgrounds as an important plank in its platform. Backward children are often found to be handicapped solely by lack of physical development. The increase of vitality gained upon the playground shows itself in increased efficiency in the school room. In Philadelphia it is estimated that 20 per cent of the school funds are spent upon children who are going over the same work for the second or third time. The cost of the repeater is great. The playground reduces the number and cost of the repeater.

When England underwent an industrial transformation at the end of the eighteenth century the population flocked to the towns and were herded in unsanitary and deteriorating congestion. No municipal care was undertaken.

According to the individualistic theory, the fittest would survive. The submerged tenth, however, had its origin. Breeding took place from lower and lower physical and moral levels. As a result, when the debilitated city dwellers marched upon the plain of South Africa, they dragged out the Boer War and threatened the fall of the British Empire. The same city congestion is an American problem to-day. Playgrounds provide a means of raising the average vitality of the community. Hospitals will always be necessary, but a playground opened to-day saves the opening of a hospital to-morrow. On the score of economy of money and industrial efficiency playgrounds are a good municipal investment.

The games of the street teach shrewdness and cunning. Every boy is for himself. There are no rules except to win at all costs. On the playground, under proper supervision, new standards are inculcated. In team games a boy learns to work for the welfare of the team, rather than for himself. It is a great step forward to fight as a member of the team for the honor of the neighborhood, rather than for oneself against every one else in the neighborhood. The ideals of the playground are fair play and self-government. The relation to the ideals of good citizenship is not difficult to see.

When a certain playground was first opened the bats and balls began to disappear, leaving that many less for use. Searching parties were formed and one by one recalcitrant offenders were rounded up and the bats and balls ferreted out. Now the community sense has so far developed that the bats and balls are guarded as community property with a greater vigor and success than transportation and lighting franchises are retained for the community's benefit by those who have lived longer in this world.

So much of a human being's character is formed in play that it is quite to be expected that much character is deformed, degraded and twisted and perverted where wholesome play is prevented. A boy is much like a boiler—full of restless energy which must find an outlet. The boy's safety valve is play, and much of what we call juvenile crime is merely play energy gone wrong. Give the boy the game to play, give him exciting feats to perform on the flying rings and trapeze and the juvenile court will be deserted for the public playground.

The boy in the street who throws most energy into knocking out a window or a policeman is the same boy who on the playground throws the most energy into knocking out a home run. The boy who most successfully steals a cabbage from the corner grocery is the same boy who most successfully steals a base in the ball game. The stolen cabbage is a test of wits and legs against the policeman, who in his capacity of catcher is apparently provided for that very purpose. The stolen base is a test of wits and legs, with no after effects on the runner or catcher in the juvenile court, reformatory or prison. The boy who leads the gang of hoodlums against the blue-coated symbol of the law is the same boy who, under other conditions, leads the playground to order and fair play. The personal force is the same. The difference lies in the direction of its application.

In a certain district in Chicago the number of cases in the juvenile court

decreased one-half after a playground had been established. Everywhere the testimony of judges, supervisors and social workers is to similar results.

The test of economy again holds good. A playground is cheaper than a jail. Play is more attractive than vice, and the prevention of crime by the provision of a preferable substitute is a demonstrably sane and practicable municipal investment.

When public opinion intelligently and forcibly demands, the funds are always forthcoming. The cost of an adequate playground system is a large item in the budget, and agitation must now concentrate upon this phase in order that the foundations may be laid for a robust motherhood and a vigorous citizenship for the next generation of city dwellers.

Dr. Witmer introduced Miss Ogilvie, head of the Social Service Department of the University Hospital, who said:

This hospital service is very new, so new as not to be known by many of the other hospitals in this city. It was started three years ago in the outpatient department of the Massachusetts General Hospital, and has become almost indispensable and so popular as to be established in at least fifteen of the large hospitals in the East. I do not know of any of the western hospitals, except one in Chicago, which has it.

We started the work in the University Hospital just eighteen months ago, as an experiment, and after twelve months we decided it was of sufficient account to be made a permanent department of the hospital. During the first twelve months we spent most of our energy in what was most important to us, the tuberculosis work. Nearly a third of our patients were cases of tuberculosis. We gave instruction in hygiene, arranged for home treatment where we could, and where it was possible and the cases were suitable we sent them to sanatoria or hospitals.

Another department of that work was securing proper employment for people who have tuberculosis. Just this morning I had a letter from a certain sanitarium asking if I could not send them a probationary nurse who might have tuberculosis in an incipient stage. They wrote that the nurse we sent three months ago had done such good work that they wanted another. While the work along this line seemed at times rather hopeless, we have accomplished a good deal.

We have a great many neurotic cases and a great many cases with the simple request that we cheer them up. Sometimes the doctor could find no reason for the symptoms they had. Only yesterday we had a case of hysteria at the office. We tried to give her some good cheer.

We have not really established that part of the work known as social therapeutics, in the way that Dr. Worcester is doing it in Massachusetts in the Emmanuel Church Movement, and yet I may say that we do a great deal of good right along the line of suggestion. It is of course impossible to state just how much good we have done, sitting in the office and giving advice to the people, instilling some hope into them and helping them along in the journey of life.

To me the most interesting part of the work is the "steering" or conducting patients through the dispensary, sent from other sources. Last year we

had only 366 cases altogether, but 131 of them were patients sent in by other agencies to be conducted through, with the request that we send a report back. A good many were children and came mostly from the University Settlement House, the Society for Organizing Charity and Dr. Witmer's Psychological Clinic. There were also some cases from the S. P. C. C. Perhaps you do not know, most of you, what it means to take a child so sent in, make a special case of him, and see that he gets the very best medical attention. I always try to see that the chief of a medical dispensary examines the child and gives the treatment. It is a little hard to get hold of the chief. He is always busy, but if possible I have Dr. Fussell see the child. We get his very expert diagnosis, treatment and advice, and we then take the child to the next dispensary, if necessary. For a long time doctors dealt with these cases with a feeling of hopelessness, because there was no one interested in them. Now that there are several persons interested in these cases, the doctor is willing to do his best, with the assurance that he will have intelligent co-operation, whereas before this bureau was established he had no means of knowing whether his orders would be carried out or not. If the patients were able to pay \$25.00 for the advice of a specialist they could not be better attended to than they are at the dispensary.

Last year a boy was sent to us by Dr. Witmer. Like most of the cases he sends us, this boy was about twelve years old. We sent the boy through five dispensaries, four in one day. It took a good deal of work to see that he was examined first at one dispensary, and in the last he waited a little later and was seen. After he had been examined in five dispensaries, it was found in four of them that he had some positive defect or ailment, for which he received treatment.

This boy had quite a remarkable propensity for lying and stealing, and it is hardly necessary to say that his morals have improved to a great extent.

As for this little girl Fannie, I cannot tell you how many dispensaries she has been through, but I went with her to many.

She has a sister (Rose) sixteen years old. From her attitude and the hopeless expression on her face you would think her a woman of 60 or 65, that she had a dozen diseases and had lost her last child. When she came into the dispensary people remarked about her, saying, "Who is that poor girl?" She had been through at least five dispensaries and is always talking about her ailments. I found her living in the rear of a squalid tenement house, with no open space excepting an alley about eighteen inches wide. Her family might have a little air, but they keep the windows almost hermetically sealed, and three, four or five people sleep in one room. They have three rooms, one above another.

We succeeded in enlisting the interest of the Jewish Young Women's Union, and one of their workers is now arranging to place this girl, if the consent of the parents can be obtained, in a country home for a term of years.

Unless we go into the homes, in most cases we do not accomplish much. When we are asked either by the patients or by the doctors to go into the home we go, sometimes co-operating with another agency. Only yesterday I secured groceries from another agency for a destitute family.

DR. WITMER: There has been in the City of Philadelphia for some years a psychological clinic. It was not called that, but the Magistrate's Office. We have with us Magistrate Gorman, who made his work, in connection with the Juvenile Court, the work of a clinical psychologist.

MAGISTRATE GORMAN.

I must say this in answer to the very complimentary and eulogistic introduction of Professor Witmer, that it shows how necessary the branch of study in which he is the pioneer is to the community, when I tell you that notwithstanding the efforts that I have made in this direction, after I have done all I can, I am still compelled to send cases to Dr. Witmer.

I believe that I was to talk upon the Juvenile Court. I doubt very much whether you could spare me the time even to speak briefly on that subject. You have heard much that pertains to the good of the children, in all its various branches, and the Juvenile Court, as it was demonstrated in the two years and nine months when I had the honor of presiding, shows the real reasons why these children should be the subject of our special attention.

If you sat with me in the magistrate's office at the House of Detention, and saw day after day the cases of unfortunate children, I doubt very much whether you, like myself, would not be willing to devote your life to them. You might find there four or five small children with a father taken away by death, the mother bound to her children by natural affection, and willing to make any sacrifice to keep that flock together—locking them in in the daytime—sometimes not locking them in but permitting them to run the streets, and taking the chances of their going to school or not.

If we do not take up the child in his youth and give him what it was intended every child should have, that care, physical, moral and religious, we are neglecting a duty; and I have maintained again and again that the hundreds of thousands of adult prisoners who travel around in that terrible circle before the magistrates to-day are nothing more nor less than the neglected children of past generations. Are we going to have this dreadful line continued indefinitely and interminably?

It is greatly to be hoped that we are approaching the time when we will not have recorded, as we had at the beginning of this year in the annual report of the superintendent of our police, that there were 50,000 arrests made in Philadelphia during the year 1908. I am prepared to say with authority, that there would not have been 10,000 persons arrested by the police of Philadelphia were it not for the fact that they were the neglected and unfortunate children of past generations.

If I were to discuss the Juvenile Court, I would have to speak of its history, of its purposes and of its achievement. Its history in Philadelphia is like its history all over the United States. It is indeed a compliment to us as American citizens that we have had among us during the past four years, representatives from almost every foreign country coming to study and investigate the Juvenile Court System of the United States.

The Juvenile Court idea was practically first conceived in Philadelphia. The first thought was of a separate house, where these little children could

be kept apart from adults. It was not conceived by any public official, but by the Rev. Mr. Camp, who went to the prisons of Philadelphia and saw there sights which could not fail to elicit his charity. He gathered together a number of people in Philadelphia, Mr. Barnes of old Christ Church and several other equally philanthropic men, and they had a bill passed establishing the House of Detention, providing \$25,000.00 was subscribed. Up to 1903 there was not \$25,000.00 to provide for a House of Detention. After a second bill passed, we commenced operations in 1906.

From 1906 to the present time I have had the pleasure to stand as the attorney and friend of the boy, and that is the only pleasure there was about it. It was an honor also to represent a new system. In the two years and nine months I was there I heard every boy,—who was not discharged by the lieutenant or “a friend,”—every boy that was arrested and sent to the House of Detention. During those two years and nine months I had 14,000 boys and girls before me in the House of Detention, and out of that 14,000 I had about 100 bad boys and girls; the rest were the victims of causes over which the child had absolutely no control. Out of the 14,000 who were in the Magistrate’s Court, less than 4000 were returned to the Juvenile Court, and I am proud of it. If I were back there again there would not be so many.

Less than 4000—and here is something to which I wish to devote a thought, because it is important. While we were the first city in the world to attempt to make history in this magnificent movement, we are the last and least efficient in developing that movement. We have a system in the city of Philadelphia such as exists nowhere else in these United States. It is without logic, without system and without result. In this city, after the case is heard and sent into court, it is sent before the judge of the Juvenile Court. We have fifteen judges and one sits each month. When I tell you that each of these judges sits but four out of the 365 days to hear the cases of children sent from the Juvenile Court, what good can you expect to be done for the child?

The judges do their duty wonderfully well. This complaint is against the citizen. It is necessary that the judge should go along with the child from his first appearance in the Juvenile Court until he finds a place in some worthy home, or institution, but to sit but four days in the year and think you are accomplishing some good, does not appeal to me as being a very systematic, efficient or logical way of clearing up this problem.

What is the result? A boy appears before me and is discharged. He appears a second time in a month. He might be discharged. A third time he returns, and now I am quite sure he means to be bad. He is sent into the Juvenile Court and is sent home on probation. Sometimes it is good for him and sometimes it is not. It is good when there is a probation officer to follow up the child, but if the child is meeting the probation officer once a week and is enjoying pink tea, while the probation officer does not know he has run away from home, you could not consider that good probationary work.

Then after that he is in for the fourth time. The court thinks him a

very bad boy, and says, "We will send him to the Protectory," or "We will send him to the House of Refuge," or some other reformatory institution. He may stay three or six months. If he runs away it is nobody's business to look after him. He comes back to the city, and after three or four months he gets in trouble again and goes before another judge, who sends him home once more on probation.

I want to say one word about our school system, since three have spoken about it. They have spoken about the special school, and I think this will be of interest to everyone connected with this movement. I believe with those who know anything about these unfortunate children, that there is but one grand defect in our school system. I do not agree with Mr. Cornman that much good is done by our special schools. I think they are breeding spots for crime. While they were originally intended to be schools for backward children or truant children, now those who are mentally deficient and morally deficient are sent to these schools, so that the backward children are mixed up with a lot of bad boys, and it does not require much thought to see what way those truants and backward boys are going. My experience is from the number I have dealt with, that the morally delinquent models the character of the other boys, and where you have one moral delinquent you have five others made so because of contact with him. My statistics show that within one year I have had 200 boys from special schools before me. There are 1200 in the special schools. That is just one-sixth, or $16\frac{2}{3}$ per cent, whom I have had in the magistrate's office, arrested for some delinquency, who were members of a special school. This proves the charge I make that special schools should be restricted, or else they should be done away with altogether, and other schools put in their places. Miss Maguire has solved it as far as it can be solved without the Board of Education,—that is, to have a special class where the backward boy or truant is put under special care such as Dr. Witmer has explained this morning, instead of making new morally delinquent boys out of the others in the same class.

I hope that your good work will result in the redemption, rejuvenation and repair of all our poor unfortunate children.

Mr. Edwin D. Solenberger was then introduced and spoke as follows:

The Pennsylvania Children's Aid Society in common with other child-caring agencies finds that the homes from which its children come are much below the standard of the average home in the community. It is the rule rather than the exception to find that the physical, mental and moral development of children from such homes has been neglected to a greater or less extent. If the father has died leaving the mother with the burden of the support of the children or if the mother has died leaving the father a widower under the necessity of employing a poor housekeeper or placing his children to board with irresponsible persons, the children are likely to be still further neglected. The same result is likely to follow if the domestic life is shattered by the separation of the parents or by the immorality or desertion of one or the other. If either parent is stricken with a disease resulting in chronic illness of greater or less duration, the chances for proper

parental attention to the children are greatly lessened. An industrial depression resulting in the idleness of the bread winners of the family still further decreases the chances of the children for proper care. The very fact that children are brought to the attention of child-caring agencies of any kind is often evidence in itself that the parents are lacking in intelligence or efficiency in the proper care of their own children. Unfortunately we have usually to add to the lack of proper care on the part of the parents, bad housing conditions and unfavorable neighborhood surroundings.

These untoward conditions for the proper development and training of children are unfortunately not of short duration. Children are not usually made dependent, destitute, delinquent or reduced to a state of neglect in a day. It is generally a long and gradual descent downward until the family is finally so demoralized as to call for intervention on the part of some public or private child-saving agency.

From such sources as these, boys and girls come through the juvenile courts, from the almshouses, from the societies to protect children from cruelty, and from charitable associations, to be placed out in family homes by children's aid societies or cared for in institutions. Is not this statement of sources from which the children are received a sufficient and urgent reason for making use of every available facility to help to arrive at a complete knowledge of the physical, mental and moral development of the child as a basis for wise action in providing care and treatment? Some method of examination, observation and study of the child such as is made possible through the Psychological Clinic conducted by Dr. Witmer at the University of Pennsylvania is of great value in a large number of cases. It is needed to supplement and complete the physical examination of the child made by the doctor. It is only by some such method as this that we can secure the proper interpretation and understanding of many of the physical defects which the doctor notes in his examination. On the other hand, after an examination, study and observation of the child by a trained psychologist, a further examination and study of the child by a doctor in the light of what the psychologist has discovered is frequently of great help to both in their treatment of the case. Surely it is important in order to deal properly with the child to have a diagnosis made with respect to its memory, judgment, reason and general mental development. This is particularly true in view of the fact that such a large number of children dealt with by child-caring agencies are abnormal or subnormal by predisposition on account of their bad inheritance and unfavorable environment. The study and observation of children by the psychological clinic methods enables the child-helping agency to adapt its care and training to the needs of the child. It helps us to distinguish between permanent and temporary abnormalities; between characteristics of deficiency and characteristics of backwardness; and, between deficit and surplus in the mental development of the child.

Progressive children's agencies have long since recognized the value of a careful investigation by which they mean chiefly a study of the social and industrial relations of the family whose children are to be the objects of their care. There has also been a recognition to some extent of the value

of a doctor's examination of such children in order to guard against contagious disease and to protect the institution or society from receiving into its care the physically unfit. Should we not recognize the necessity of dealing with the child as a whole and considering not merely the social and industrial aspects of the family from which he comes and the more obvious physical conditions of the child, but also the finer and subtler question of his mental and moral development? Universities have already established experiment stations for the study of domestic animals and vegetation of all kinds. Bulletins of information are sent out to stock-raisers and farmers. Biology, chemistry and geology and other sciences have made some contribution toward the improvement of live stock, fruit and grain. May we not reasonably demand and expect some help toward the improvement of our methods of care and treatment of children from the psychologist, as well as from the doctor and the social worker.

REPORT OF THE ANNUAL MEETING COMMITTEE

THIRTEENTH ANNUAL MEETING OF THE American Academy of Political and Social Science

Philadelphia, April 16, and 17, 1909

It is a source of much gratification to your committee to be able to present an enthusiastic report on the proceedings of the Thirteenth Annual Meeting of the Academy. In addition to the scientific importance of the sessions, the Annual Meeting attracted members from all sections of the country. The opportunity was thus offered to members of the Academy to become acquainted with one another, a feature of much importance in the development of the spirit of co-operation within the Academy membership.

All the sessions attracted large audiences. At each meeting a distinct contribution was made to our knowledge of the important questions involved in race improvement in the United States. At the opening session the Academy enjoyed the co-operation of the Committee on Congestion of Population in New York. A special exhibit was arranged for and through the courtesy of the City Club of Philadelphia; this exhibit was hung in the rooms of the club. Mr. Benjamin C. Marsh, secretary of the committee, explained in full the significance of the charts, diagrams and pictures on Friday morning (April 16th), and at the luncheon gave an informal address on the importance of the movement.

Your committee desire to take this opportunity to express its cordial appreciation of the co-operation of the committee and especially for the contribution of Mr. Marsh to the success of the Annual Meeting.

The Academy was also fortunate in securing the co-operation of Professor Lightner Witmer, of the University of Pennsylvania, who arranged for a special psychological clinic on Saturday morning, April 17th. At this clinic Dr. Witmer dealt with "A Clinical Study and Treatment of Normal and Abnormal Development." Dr. Witmer's remarks were followed with deep interest by the members of the Academy.

The thanks of the Academy are also due to the members of the Committee on Program, the local Reception Committee, of which Mr. Samuel F. Houston was chairman; and to the Ladies' Reception Committee, of which Mrs. Charles Custis Harrison was chairman. We desire to make our acknowledgment to the University Club and the Manufacturers' Club, both of Philadelphia, for the courtesies which they extended to visiting members of the Academy.

We also wish to express our obligation to Major Joseph G. Rosengarten

and Mr. Stuart Wood, whose entertainment of the speakers on Friday and Saturday evenings constituted one of the most delightful social occasions of the Annual Meeting. The Academy is also under deep obligations to those who contributed to the Special Annual Meeting Fund, which the Academy must raise in order to defray the expenses of the Annual Meeting.

In addition to the formal papers contained in the proceedings, we append herewith the briefer remarks made by Mr. Marsh, and those of the presiding officers at the various sessions. Mr. Marsh said:

City planning in America may be characterized as chiefly an æsthetic development until within a few years, while the city planning of German cities is primarily social and economic. Foreign cities have standardized the conditions of housing of their working population and have attempted to enforce these standards whenever possible. This they have done through the unique system of districting the cities into zones or sections in which only buildings of a certain number of stories and covering a certain proportion of the site may be erected.

American cities have not as yet standardized housing conditions and have been prevented from enforcing building laws which they thoroughly appreciate are necessary and feasible owing to the fear that such regulations will be considered unconstitutional; since the owner of property in one part of the city, it is alleged, should be given equal right to develop his property and to secure all the income possible, as has been permitted to owners of property in the most congested parts of the city. So long as this opinion prevails it will be impossible to secure any normal development of American communities. The American law says that a city that has once permitted too intensive building is eternally committed to that policy; and that, if any change is made, it must be such as can be uniformly enforced.

The standardizing of American cities should, unquestionably, be similar to that of English cities, except, of course, the congested centers, where property rights would unquestionably be confiscated by attempting to enforce any healthy standards. In England the minimum ideal for the average working-man's family is a cheap, but well-built, house with four or five suitable rooms, together with a quarter-acre garden, or at least with a fair-sized courtyard. The site should be a healthy one and the house perfectly sanitary, well-lighted, well-ventilated and well-drained. And this accommodation must be supplied at a low rental, or it will be found beyond the means of the working classes. It behooves American cities to adopt such a system at once in sections where it is possible, since every year of delay will increase the difficulty of establishing such a normal standard.

The value of abundant provision of fresh air and sunlight surrounding each house not only to lower the death rate, but to improve the general health and physique of the people, and particularly of the children, is clearly evidenced by the following figures:

	Death rate per 1,000.	Infantine mortality per 1,000 births.
Letchworth (Garden City)	4.8	38.4
Bournville	7.5	80.2
Port Sunlight	9.0	65.4
Bethnal Green	19.1	155
Shoreditch	20.6	163
Wolverhampton	14.8	140
Middlesbrough	20.3	169
Average for twenty-six large towns.....	15.9	145

In order, however, to preserve areas where working people can afford the conditions essential to their maximum efficiency, emphasis must be put upon the importance of adapting transit facilities to the development of the community. An expensive means of transit means expensive land. Expensive land means high rents. High rents mean, generally, overcrowding; and thus a vicious circle of exploitation is started.

The location of factories is, also, an important factor in the development of a community, since workingmen will not live where they will have to spend more than half an hour from the time they leave their homes until they reach their place of work. Hence, it is of the greatest importance that the city should be harmoniously developed.

At the session of Friday afternoon, April 16th, Dr. Abraham Jacobi, of New York City, presided. Dr. Jacobi spoke as follows:

If I were to present an address to the American Academy of Political and Social Science I should wish to select as my text a sentence culled from Benjamin Franklin, who declares philosophy to be useless unless it leads to some practical good. Never has anybody expressed the quintessence of individual and collective civilized life more pointedly than that shrewd and wise man. The combination of science and its practical application was never better understood and interpreted; though science was in its infancy at his time and its application limited accordingly. Since then the discovery of the globe has been going on; electricity and steam have been rendered subservient to human needs, the structure of the human body has been revealed and its normal and morbid functions have been studied; the declaration of the independence of physiology from metaphysics has been declared, so that each may find and follow its own road; industry, production, and commerce have enriched and revolutionized the world; wealth has increased to an unthought-of degree, and the material required for universal well-being multiplied a hundred-fold; the microbic enemies of our race have been discovered and many of them conquered; the duration of life has been doubled,—and still the happiness of mankind is an unsolved problem.

That happiness depends on the conscientious application of all sorts of knowledge to the physical, intellectual, and moral wants of man. Both knowledge and general culture are slowly growing plants which Schiller said demand a blissful sky, much careful nursing, and a long number of springs.

I think I behold here one of these springs seen by the poet's eye. Men

and women have met to add and to listen to new stores of knowledge and the report of their application in the interest of all. A diversity of subjects will be discussed; not one of them unconnected with the present and the future needs of mankind. It is true that the United States is mentioned in many of the themes proposed for your consideration; but our country is only one of those to be benefited by the study of biology and sociology. Ignorance of them is particularly criminal in a democratic people whose mutual duties and responsibilities are uniform and general, because it is ourselves that are punished for our shortcomings. When a practitioner of medicine is ignorant, it is his patient that is punished; when the citizens of the republic, it is the nation.

This association was founded for the study and advancement of social and political science. The very fact that this study is inscribed on your flag proves the warmth of your democratic inclinations and interests, and your wish to transform the results of your knowledge into reality. It exhibits your interest in all classes of our people, of *the* people. Human anatomy and physiology, men's minds and morals, are not governed by classes or class rule. We in America know perfectly well, and are quite proud of the fact that, like Napoleon's marshals, many of our so-called aristocrats come from the ranks of newsboys and workmen; and are also aware that indolence and idleness and vice sap families and their ill-spent millions. Unless the laws of physical and moral hygiene are obeyed, and unless these laws of heredity are minded, any people, any class of the people, will suffer like the hundreds of prominent reigning families of Europe that have disappeared, and like so many of the present figure-heads whose physical and esthetic and ethical standards are below the average of the middle-class,—making ready for extinction.

The future of every nation, of this republic, will forever depend on the interest taken by all classes in the physique and the intellect of all classes. In the actual life of the nation there are no classes destined either for bad or for good. It is easily proved that *your* ailments, *your* infectious diseases, the mortality of *your* homes and of *your* class are controlled by those on whose labor you depend. Your tailor and seamstress, your coachman and maid, your stableman and postman, your nurse and teacher, the schoolfellow of your child, your railroad employees, the district telegraph boy,—they are your dangers and thereby your masters and control your destinies. Therefore, what you do for them you do for yourselves. Their tuberculosis, their diphtheria, their scarlatina, influenza, meningitis, are liable to become yours also. And as there is a contagion in the physical atmosphere, so in the moral and intellectual. The study of individual and collective hygiene when correctly and systematically carried on, leads both to the demand for and the practice of popular and racial improvement. The mutual interest displayed and the results gradually obtained lead to mutual understanding. That is why those Europeans amongst us who fifty years ago believed in no popular progress except through revolutions could, by the determined American efforts in behalf of the study and teaching of dangers and their removal, be taught to pin their faith on *evolution*. What you are accomplishing in your Academy in

the way of learning and of the dissemination of knowledge you are doing for mutual forbearing and co-operation. There is no country in which the people are more intent on learning, on teaching and mutual aid than America. Mutual help is as much a natural phenomenon with us as mutual warfare has always been believed to be irrepressible. So what you are contributing to by your endeavors is peace and harmony, both here and elsewhere.

That is much more logical than it looks in the presence of strife, and extortion, and murder, which is not all alien. Crime is individual, rarely epidemic, while the ethical progress of the nations, like their industry, is slow but persistent, in both its social and political bearings, the study of which is your object. The two belong together. They condition each other and more than to-day,—though I am not given to prophesy,—when our politics will have become purer, the twin studies will no longer be in our present meaning political, but more and more physical and social. The political existence of the nations and their governments will more than ever become dependent on social conditions, rational and free. The politics of the people at large must become more than ever social. Some call them socialistic. Even to-day the people do not enjoy bosses and partisan animosities. They need and gradually lean more to humane tendencies, with the cares both financial and intellectual, theirs and their children's. While expecting obedience to our self-made laws, this republic recognizes that, and no hard words dictated to high or low by prejudice or ignorance must sway public opinion. The terms social, socialistic, socialism, will lose their terror when we consider that the very socialists construe the meaning of their gospel differently, in a country of free speech and free press. Indeed we should not wonder when the configuration of future society cannot be determined by hard and fast rules laid down in our decade. Free speech may be sadly abused, however,—that is true; for thunder and lightning have been fired against what was presumed to be "socialism" without an attempt at definition, and without carrying conviction or other beneficial result. I have been told that though a man displays both thunder and lightning, he is not necessarily a Jupiter.

But I do know that when intelligent and public-spirited men and women club together all over the country for the scientific discussion, with altruistic ends, of questions concerning the physical, mental, and moral interests of all classes, rich and poor, old and young, nothing will follow excepting what is creditable to their efforts and good for the American people such as it is and will be. Your problem is very far from hopeless. Its significance will be discussed by Professor Carl Kelsey, the sociologist of the University of Pennsylvania.

Remarks of Dr. Walter Wyman, Surgeon-General, United States Public Health and Marine Hospital Service, who presided at the session of Friday evening, April 16th:

In reviewing the program of this Thirteenth Annual Meeting of the American Academy of Political and Social Science, one can but be impressed with the breadth of character of the subjects which have been and are to be discussed—their importance viewed from both an academic and a practical

standpoint. Race improvement in the United States is the general topic of the session, and "The Influence of City Environment on National Life and Vigor" is the special subject for consideration this evening. The program as a whole relates principally to physical conditions as affecting human welfare.

Human welfare may be described under three heads: physical, mental, and spiritual. These three elements are co-related, each bound closely with the others, and together they represent the scope of all human endeavor. Without minimizing in the least the other two, it seems to me that at the present time our principal needs relate to the physical.

Physical welfare is the foundation of race welfare in its broadest sense. It may be likened to the constitution in our legal system. The constitution is the foundation of our laws. There is not a state law, nor a city ordinance, nor police regulation, that does not rest upon it or is not in conformity therewith, unless it be one that is voidable. Yet we think little about the constitution, as we are enacting or enforcing our local ordinances, because we take the constitution as a matter of course, or because it is so intimately connected with our political system that it requires no special thought.

Again, we look upon the beautiful dome of the National Capitol at Washington, and the legislative chambers beneath, and have scarcely a thought of the foundation upon which it all so securely rests; yet it is there, and without it the dome and the chambers could not meet our vision. So physical welfare seems to me to be the necessary foundation for the general welfare; and we should so perfect it that we may lose sight of it and give our contemplation and efforts to higher welfare. In other words, physical welfare is only a means to welfare on a higher plane.

A sound mind in a sound body, *mens sana in corpore sano*, is an aphorism that has come down to us from antiquity, expressing both a truth and a goal to be attained; but in the light of modern thought it is insufficient as a guiding sentiment, since it contains no mention of the spiritual, and this latter is included in the modern thought of human progress.

Just what human progress is, just what it means, cannot be defined. Writers of the day speak frequently of the uplift of the race, but there is no definition in this term, and yet, without understanding it, there is no doubt that we are all engaged in furthering human progress—the uplift of humanity.

There is in astronomy what is known as the true stellar motion. By this is meant that while the stars are revolving in their orbits, and the planets are also revolving upon their axes, and some stars seem fixed, there is a general movement of them all, a progress through space; where they are going and where they are from, we do not know, but we do know that they are moving. So with human progress and the uplift; it exists. We do not understand it, and the best we can do is to catch its trend and keep ourselves in proper relation to it.

In this movement, the physician, the sanitarian, and the hygienist endeavor to keep the individual in line—in his correct place as an individual in the ranks of humanity, as humanity is pressing forward to its destination. If the individual weakens, or meets with accident, the physician discovers the cause of the weakening and applies the remedy, or applies his surgical skill to repair

the results of accident. The sanitarian looks to the individual's environment and the hygienist to his physical development.

Analogous service is rendered by the lawyer, whose ideal function is to preserve justice in the ranks, and by the minister of the gospel or priest, who promotes morality and spirituality, these also being essential to human progress. All belong to an organism representing human progress, in which each part is a means and at the same time an end to every other part.

The physician, then, or the sanitarian or the hygienist, while ministering to the physical, is also contributing to the mental and spiritual, performing his part as others are performing theirs, absolutely necessary to the general welfare, yet only one of several units.

These thoughts are suggested by an effort to understand the correct position of those interested in physical welfare in their relation to the world's work and progress, for with an understanding of our proper relation we are better able to perform our allotted part.

Sanitation and hygiene, representing physical welfare, are essential to the fullest development of the mental and spiritual. I necessarily speak from my own point of view, but feel impelled thus to speak as one privileged with a special viewpoint.

How closely this subject of sanitation and hygiene is associated with the topics discussed by this Academy will be perceived, I am sure, in listening to the papers that are to be read by gentlemen distinguished for their philanthropy and research and their achievements in uplifting endeavor. In their discussions upon "Recreation and Morality," "Race Degeneration," "Race Improvement and a Children's Bureau," and "The Influence of City Environment," they will give contributions of value, not only to the physical, but to the general welfare.

It is not my purpose to delay the program by extended remarks, and I will at once, therefore, begin the introduction of the essayists of the evening.

Remarks of the Very Rev. Thomas J. Shahan, Pro-Rector of the Catholic University of America, who presided at the session of Saturday afternoon, April 17th:

In a land of great political freedom, the chief obstacles to human progress are not found in the constitution of the state, but in the individual and the family; they are also seen to be partly physical and partly moral. The proper and natural growth of the individual is too often arrested by the introduction into his system of certain poisons that work incalculable evil both in the present and the future, since on the one hand they quench the light of the intellect and on the other light the fires of passion. Taken all together they represent a gross undue worship of the body which they slay insidiously while they seem to pamper and to flatter it. From these poisons, excessive alcoholism and the no less destructive drug habit, flows an ugly current of crime, insanity and unnatural disease, with all their fatal progeny. Through the spread of these poisons we soon behold the repulsive face of primitive barbarism leering at us from amid the highest social refinement; we behold reason itself dethroned incessantly from innumerable human temples, while the credulity of suffering mankind is so variously fed by many selfish interests

that it seems doubtful if the physical evils popularly laid up to medieval ignorance or superstition were really as great as the human damage rightly chargeable to the enormous abuse of drugs in modern times. Despite its incalculable advantages, modern society is everywhere face to face with this unhappy trinity of woes, whose tendency to increase has not yet been checked by all the efforts of a laudable philanthropy.

Another class of obstacles comes from the perversion of the family, physically and morally the primitive cell of human society. Its precincts are too often invaded in an unnatural way by many kinds of industry. In too many places the family ceases to be a little earthly heaven. Its calm dignity and sweet comfort are impossible amid certain surroundings of a mercenary industrial character. The mother has no nursery to adorn with her virtues, the father no haven of security and peace to return to after his day of toil, the child no training-ground for body and soul. All the tender, delicate sanctities of the home vanish before a selfish intensity of coarse toil, with all its implements and appliances. Moreover, the families that suffer most by this cruel conquest of their inferiors are usually the poorer ones, those whose share of natural and municipal advantages is the smaller and meaner one, whose surroundings at the best do not make for a rich development of the higher life of the spirit. No wonder that the family unit disintegrates easily and quickly amid such circumstances, and that the ancestral roof seldom shelters a second or a third generation. The children of such families tend to become a kind of social Bedouins, forever moving from place to place, having lost or never having known those tendencies of social conservatism that were or perhaps yet are so characteristic of the plain common people in many parts of the Old World. The evils that threaten the family have often been denounced by eloquent voices and by men in the highest places, but perhaps never in language so authoritative and far-reaching, so sober and grave as that of Leo XIII in his famous letter (1891) on the condition of the working classes.

However, the American mind is generously constituted, and to generous natures obstacles are usually a call to success, an incentive to action. In the words of Charles Sumner the American people have attained through representation and federation the mastery of this continent. And it is only fair to suppose that if they have solved the political problem on a scale unknown to all former nations they will in due time solve the social problem in a marvelously new and final way. With regard to this country, said Daniel Webster in 1849, "there is no poetry like the poetry of events, and all the prophecies lay behind the fulfilment." What the American man has accomplished in the way of free yet responsible government, is itself a great moral victory that permits us to hope for a still greater victory, the victory over selfishness, whatever form it assume, pleasure for its own low sake, pitiable unmanly fear, the passion of gain, social barbarism. All the obstacles to the development of character concerning which we shall hear this afternoon are quite certainly the outcome of selfishness. And it is precisely because the American people are pre-eminently an unselfish people and therefore a teachable, studious, inquiring people, that we may look forward in the future to a

race that shall justify splendidly the ways of God to His children of the New World. After all, it was not only to the individual and the family, but in a special manner to all Western mankind, that He gave on the one hand new and boundless opportunity, while on the other He anchored deep in their hearts a sacred instinct of religion that to not a few wise men seems the surest uplift and prop in the battle that stretches before us for whatever is good and desirable, fair and becoming in the social order, whose highest perfection, however, can never be reached unless both the individual and the family are first secured in all the native elements of their well-being.

BOOK DEPARTMENT

NOTES

Allen, Horace N. *Things Korean.* Pp. 256. Price, \$1.25. New York: Fleming H. Revell Company, 1909.

Twenty-two years' experience in Korea as a medical missionary, and consular and diplomatic representative, especially qualify Dr. Allen to interpret Korean customs and politics. This little volume is arranged in the form of a series of sketches on different phases of Korean life. Interesting episodes of the period when Korea was being opened to western influence occupy most of the pages. Dr. Allen is a sympathetic interpreter and finds much to praise where the average traveler has found only incompetence and corruption. The latter portion of the book gives some wholesome advice to newly arrived missionaries, outlines the difficulties under which foreigners labor in Korea, and presents a brief sketch of the extinction of Korean sovereignty. There is a veiled criticism of the inaction of the United States during the period when Japan was completing her control. The book is attractive not only because of its contents, but also because of the pleasing style which at times recalls Lafcadio Hearn.

Andujar, Manuel. *Spain of To-day from Within.* Pp. 220. Price, \$1.25. New York: F. H. Revell Company, 1909.

Travel and religion divide the pages of this easily read volume. The author was born in Spain in the Catholic Church but was later converted and joined the Methodist branch of Protestantism. About one-fourth of the book is taken up with the story of the change of belief. Past training and temperament explain many highly prejudiced statements made throughout the book, for no opportunity to have a fling at the mother church is lost. The last three-fourths of the book tell of a journey through the Spanish peninsula, in which interesting descriptions of men, events and places are presented. The title leads one to expect an interpretation of one of the most interesting countries of Europe by one who has long lived within it and feels the pulse of the national life, but there proves to be little material of this sort at the author's command.

Anson, William R. *The Law and Custom of the Constitution.* Vol. II. Pp. xv, 283 and xxiv, 347. Oxford: Clarendon Press.

In the two parts which constitute Volume II of Mr. Anson's monumental work on "The Law and Custom of the Constitution," he devotes himself

exclusively to the development of the power of the crown. No existing work gives so clear an idea of the present position of the executive in the English political system. The author traces, step by step, the development of the prerogatives of the crown and of its powers.

Probably the most illuminating chapter in the book is the one dealing with the crown and the courts. The study of this chapter enables the student to see clearly how the liberty of the citizen was acquired through the minor judiciary. The courts of inferior jurisdiction were the first to emancipate themselves from executive control. The legal fictions resorted to in accomplishing this purpose furnish one of the most fascinating chapters in English history, and illustrate the real genius of the English people for self-government. Another portion of the work which throws a flood of light on the operation of the British system is Chapters II and III. In his treatment of the historical development of the Privy Council, the Ministry and the Cabinet, the wide gap between legal form and constitutional practice, so characteristic of the English system, is clearly brought out.

This work is so full of material that it is impossible to summarize the contents of these two volumes. It is sufficient praise to say that they are indispensable to the student of English political institutions, and of hardly less value to students of American political development.

Bainbridge, William S. *Life's Day.* Pp. 308. New York: Frederick A. Stokes Company, 1909.

It has become a very necessary part of medical effort and teaching to popularize for the layman the principles of hygienic living and more widely and speedily to disseminate among those who have little time for deep study, the sensible, ordinary knowledge requisite to a good physical and mental condition. In this volume of "guide posts and danger signals to health" is found a most comprehensive and instructive compilation of suggestions, covering the various periods of human lifetime from birth to death, prefaced by a concise, elementary discussion of the influences of heredity and environment. The critical periods, those of childhood and adolescence, are treated with unusual care. The characteristic note is one of moderation in all things, whether it be diet, exercise or parental guidance.

Barnett, Canon, and Mrs. S. A. *Towards Social Reform.* Pp. 352. Price, \$1.50. New York: The Macmillan Company, 1909.

It is a rich experience that Canon and Mrs. Barnett have had in their lifetime of work and thought in East London, of which period a full quarter century has been spent in Toynbee Hall. An earlier volume embodied some of the conclusions derived from that experience. The present one, in the same general style, is made up of a series of essays, many of them previously published elsewhere, dealing with social reformers, poverty, education, recreation and housing. The authors write as those who, guided by an ideal, yet realize the painful slowness of progress toward it. The book necessarily deals with things from the English point of view, but its problems are universal, and the reflections of these lifelong students have their interest for

all thinking men. The point of view is sanely and progressively conservative, as befits those who have long dealt at first hand with the difficult task of social reform.

Becu, Carlos A. *La Neutralidad*. Buenos Aires: Arnold, Moen & Hermano.

In a monograph on neutrality, Dr. Becu has made a very important contribution to the subject. The author has given special attention to the practice of the American nations, and in this respect his book presents material which is not to be found in any other publication. It is to be hoped that at some time or other this work will be translated for the use of American students.

Beveridge, W. H. *Unemployment—A Problem of Industry*. Pp. xvi, 317. Price, \$2.40. New York: Longmans, Green & Co., 1909.

Reserved for later notice.

Blandin, Mrs. I. M. *History of Higher Education of Women in the South Prior to 1860*. Pp. 327. Price, \$3.00. Washington: Neale Publishing Company, 1909.

Mrs. I. M. Blandin's "History of Higher Education of Women in the South" presents an accumulation of data concerning the southern schools that would probably be difficult to duplicate. Several hundred schools, in the various southern states, are described. Most of the descriptions are very minute, some of them practically amounting to a catalogue of the school, academy or institute, as the case may be, enumerating the branches of study taught there, the faculties of successive years, the graduates, and their respective degrees. The curricula described in most cases provide an education far different from higher education as we now conceive it, and come rather under the head of elementary education. The book disintegrates rather than integrates the data presented, and gives no definite conclusion concerning the result of this education. As a whole, it is rather a detailed history of the schools themselves, than of the resulting education.

Bordwell, Percy. *The Law of War Between Belligerents*. Pp. 374. Chicago: Callaghan & Co.

Reserved for later notice.

Bruce, H. A. *The Romance of American Expansion*. Pp. xiii, 246. Price, \$1.75. New York: Moffat, Yard & Co., 1909.

This book is the appearance in book form of an engaging series of articles which were originally published in the *Outlook*. The style in which they are written shows that the author has tried to popularize certain typical events of American foreign policy—the romance is always in the foreground. The chapters are devoted to the work done by eight men prominent in the growth of our country—Boone, Jefferson, Jackson, Houston, Benton, Fremont, Seward and McKinley. The author's enthusiasm in his description of these men leaves him in little less than hero worship. But it would be unfair to judge the work strictly from the standpoint of the historian—

for it does not aim to be a history. The man who finds history dull will not have to discard this volume. The personal element is given such emphasis that events serve only as a setting. A brief chapter, on further reading, gives useful lists of books. The emphasis here also is placed upon volumes the first object of which is to entertain.

Burns, J. A. *The Catholic School System in the United States.* Pp. 415. Price, \$1.25. New York: Benziger Bros., 1908.

The author, who is president of the Holy Cross College, in Washington, D. C., traces in this volume the history of the school system down to about 1840, which he looks upon as the period of the establishment of the schools. Treatment of their subsequent history is reserved for another volume.

The book abounds in condensed statements of the educational development in the various communities and states of the country. Thus a great number of facts are presented which will be of value to students. Unfortunately, however, there is comparatively little evidence of critical use of the material presented. The account is purely descriptive. However, as a summary of the facts in the history of the educational policies of the Church, the volume deserves notice.

Burstall, Sara A. *Impressions of American Education in 1908.* Pp. xii, 329. Price, \$1.25. New York: Longmans, Green & Co., 1909.

As mistress of the Manchester (Eng.) High School for Girls, and as writer and university lecturer on education, the author of this appreciative but discriminating study of our educational system is splendidly qualified to express opinions that shall command the attention of American educators and the public generally. Her survey runs the gamut from primary school to university. But her chief interest lies in the high school, and particularly in the teaching of history and in the newer departures in the way of domestic science and of commercial and industrial training for girls.

In a general contrast of American with English education, our points of superiority are stated as the following: (1) the general interest and belief in education *for the many*, not for the privileged few; (2) the "extraordinary excellence" of our school buildings and apparatus; (3) the comparative absence of "sanction and stimulus," in the way of either punishments or rewards,—possible because of the self-restraint and ambition of the average pupil; (4) the self-reliance of our pupils in preparing their lessons without the constant oversight of the teacher; (5) the care taken not to differentiate one child from another too early by specialization of studies, thereby hindering the development of individual tastes and capacities later; (6) the "unity of education and of the teaching profession"; (7) the confidence felt by educators that their profession is one held in high esteem.

Points of English superiority noted are: (1) the non-secularization of the English public school; (2) the greater "freedom and variety" of the English system, without the American "despotism of the official"; (3) the fuller opportunities open to English women on the administrative side, as principals and as members of school boards of directors.

Calvert, A. F. *Madrid*. Pp. 469. Price, \$1.60. New York: John Lane Company, 1909.

Mr. Calvert's series of volumes describing the cities of Spain bids fair to give a detailed description of the country such as has been presented for few if any of the other countries of Europe. The description of the city of Madrid occupies about half of this volume. Court life and society are sketched with intimacy, then follow discussions of the art of the Capital, Spanish literature and the drama, the churches and the public buildings; side excursions are taken to the Escorial and Alcalá de Henares. Rather disproportionate attention is given to the national sport—bull fighting, which monopolizes almost a fifth of the text.

The latter half of the book, as in the others of the series, is taken up with an exhaustive and excellent collection of pictures. The streets, daily life, pastimes, religion and architecture of the capital pass successively in review. A large number of reproductions of the treasures of the Prado gives the volume especial value to those interested in art. The type work is excellent and though the style of the text is popular and at times diffuse, the prospective tourist to Madrid will find the book of great value.

Chamberlain, Arthur H. *Standards in Education*. Pp. 265. Price, \$1.00. New York: American Book Company, 1908.

This book deals primarily with elementary education: with its Theses, Topics for Study and Bibliography. It is admirably suited to class work in normal schools. Throughout there is a regard for social conditions and social needs. European experience is freely drawn upon by way of illustration and suggestion. It is a hopeful sign that this sort of book is available to take the place of the earlier vague and impracticable studies of education. It is to be regretted that the book is published without an index.

Channing, Edward and Lansing. *The Story of the Great Lakes*. Pp. viii, 398. Price, \$1.50. New York: Macmillan Company, 1909.

Chapin, R. C. *The Standard of Living Among Workingmen's Families in New York City*. Pp. xv, 372. Price, \$2.00. New York: Charities Publication Committee, 1909.

This book is a refinement of the figures originally presented in the report of the special committee, appointed by the New York State Conference of Charities and Corrections, to investigate the standard of living. The same schedules are worked over in infinite, painful detail, and the results presented in two hundred pages of printed matter, charts and statistical tables. The whole report is based on about four hundred schedules, and while these four hundred schedules furnish a very good basis for a modest summary such as that presented by the Committee of the State Conference, it is wholly inadequate as a basis for the author's broad statements and conclusions. For example, on page 128, a table is given to show under-feeding in various occupations. The number of underfed families in one group is eight and these eight families constitute 30.7 per cent of the total under consideration, which was twenty-six. Unquestionably, figures so small cannot form a

scientific basis for percentages. They are too minute to justify percentage generalizations.

Had the four hundred schedules been collected by the same person in the same spirit, with the same point of view, there would have been more reason for the publication of a book based upon them, but collected as they were in part by volunteers, in part by trade unionists, and in part by paid agents, they do not represent a consensus of thought nor a unified idea, and the series of generalizations, deductions, percentages and conclusions which the author draws are unwarranted in view of the smallness of his source material and the diversity of its origin, although the technique of the work is splendidly scientific, the tables well organized and the charts graphic in their presentation of the facts. The conclusions which appear in the last six pages of the main work present no thought in addition to that of the original report of the Committee on the Standard of Living.

Cleveland, F. A., and Powell, F. W. *Railroad Promotion and Capitalization in the United States.* Pp. xiv, 368. Price, \$2.00. New York: Longmans, Green & Co., 1909.

Reserved for later notice.

Cooley, Charles H. *Social Organization.* Pp. xvii, 426. Price, \$1.50. New York: Scribner's Sons, 1909.

Reserved for later notice.

Crawford, William H. *The Church and the Slum.* Pp. 146. Price, \$0.75. New York: Eaton & Mains, 1908.

A representative group of English Wesleyan mission halls and the work which they engage to accomplish are described in this little volume. One illustration is added from Edinburgh, Scotland. The activities of the missions are manifold and are a considerable departure from the method of the old mission. Success in evangelizing men has depended in part upon the initial use of various expedients for attracting them and discreet ministrations to bodily comfort. In at least some of these missions long-sighted methods along the lines of social service are in vogue; work tests are applied to lodgers and employment secured for the deserving. The book is very informal, the contents having originally appeared as a series of letters. The style perhaps is not so pleasing as is desirable, but the book is suggestive for American mission workers.

Daish, John B. *Procedure in Interstate Commerce Cases.* Pp. xiv, 494. Price, \$5.25. Washington: W. H. Lowdermilk & Co., 1909.

Reserved for later notice.

Davidson, John, and Gray, A. *Scottish Staple at Veere.* Pp. 453. New York: Longmans, Green & Co. 1909.

Reserved for later notice.

Dawson, William H. *The German Workman.* Pp. xii, 304. Price, 6s. London: P. S. King & Son.

This little book on "The German Workman," which the author styles a

study in national efficiency, gives the best account existing in English of the manifold social activities of imperial, state and municipal government that have made over the life of the working classes of the fatherland during the last quarter century. The problem of unemployment has given rise to various kinds of labor registries and employment bureaus, to out-of-work municipal insurance, to systems of relief for wandering workers, to labor colonies and to extensive relief works. The ever-pressing housing problem has been boldly attacked by municipal buildings and shelters for the homeless combined with municipal activity in renting houses. Sickness is combatted with all the resources of the cities, backed by the state insurance funds, while the school doctor does much to prevent disease, and the convalescent home makes unnecessary a too early return to work. Municipal pawnshops and information bureaus, the workmen's secretariat, workmen's insurance, and poor relief—such are a few more of the bewildering array of activities carried on by the German government in behalf of its working people. Whatever the reader's judgment of paternalism, many of the results must command admiration, and Mr. Dawson's book presents them with admirable clearness and conciseness.

Dealey, James Q. *The Development of the State.* Pp. 343. Price, \$1.50.

New York: Silver, Burdett & Co., 1909.

Reserved for later notice.

Denison, G. T. *The Struggle for Imperial Unity.* Pp. x, 422. Price, \$2.25.

New York: Macmillan Company, 1909.

Imperialism is the keynote of this record of the movement to keep the colonies, and Canada especially, in close union with Great Britain. The author is extreme in his enthusiasm. Indeed so sensitive is he to any suggestion that Canada should be joined to the United States that he considers the commercial union movement to have been a conspiracy of treasonable nature supported by contributions from Andrew Carnegie, Charles A. Dana and other prominent men in the United States operating with the disloyal in Canada itself. Mr. Goldwin Smith is regarded as the arch traitor. After a long friendship the author broke with him, declaring that he never would speak to him again and that he would answer such a man only with the sword. This indicates the general tone of the book.

Mr. Denison, who has had a wide experience in the Imperial Federation Movement, presents an interesting description of the inception and growth of the movement, the beginning of which he credits to the loyalists of the American Revolution. The United States is branded as "unscrupulous" in the methods adopted to bring about a closer relation of the English peoples of North America, but it is asserted that the annexation movement is now so thoroughly discredited that it is no longer a subject for serious consideration. The personal animosities which appear throughout the work mar a story otherwise well told.

Devine, Edward T. *Misery and Its Causes.* Pp. 274. Price, \$1.25. New

York: Macmillan Company, 1909.

Reserved for later notice.

Dewey, J. A. *History of Economics.* Pp. 334. Price, \$1.50. New York: Benzinger Bros., 1908.

Dodd, Walter Fairleigh. *Modern Constitutions.* 2 Vols. Pp. xxxvii, 685. Price, \$5.42. Chicago: University of Chicago Press, 1909.

The University of Chicago Press has done a real service in placing at the disposal of students of political science careful translations of the constitutions of the more important countries of Europe and America. The great difficulty with which American students heretofore have had to contend has been the fact that the compilations of constitutions could not be depended upon for strict accuracy, and in most cases, therefore, it was necessary to refer to the originals. This will no longer be necessary.

It is to be hoped that at some future time Mr. Dodd will supplement these two important volumes with translations of the constitutions of the states of Peru, Venezuela, Paraguay, Uruguay and Bolivia. Such a third volume would be gratefully received by teachers and students. In the meantime they have been placed under deep obligations to Mr. Dodd for the painstaking care with which he has accomplished a very difficult task.

Evans, Lawrence B. *Writings of George Washington.* Pp. xxxiv, 567. New York: G. P. Putnam's Sons, 1908.

Writings of great men bring the student into close touch with the personalities and times he is studying. This volume is the first of a series on the writings of American statesmen. Its purpose is to present in convenient form the most important documents written by each of the statesmen whose writings are treated.

There are already two editions of the writings of Washington, neither of which the present editor believes is definitive. Objection is raised to that of Jared Sparks that too great editorial liberties were taken with the original letters. He omitted passages of which he did not approve without stating that the document thus presented was incomplete. The other edition, under the editorship of Worthington C. Ford, presents the letters exactly as they left the hand of Washington, but on account of its size is not available to as large a public as is desirable. These reasons justify the appearance of the present volume. The most important of the documents chosen may be divided into three classes, first, documents which are important state papers, such as the Farewell Address; second, accounts of important events in which the writer was a leading participant, such as the description of the capture of Boston; third, papers setting forth his opinions on various public questions, such as the settlement of the West. The texts of the documents of this volume, with a few exceptions, are taken from Ford's edition. Both Ford and Sparks are drawn upon for a considerable number of notes; others are added by the editor.

Ferrero, G. *Characters and Events of Roman History.* Vol. V. Pp. 275. Price, \$2.50. New York: G. P. Putnam's Sons, 1909.

Reserved for later notice.

Fillebrown, C. B. *The A B C of Taxation.* Pp. 229. Price, \$1.20. New York: Doubleday, Page & Co., 1909.

Reserved for later notice.

Finley, John H., and Sanderson, John F. *The American Executive and Executive Methods.* Pp. 352. Price, \$1.25. New York: Century Company, 1908.

Reserved for later notice.

Foltz, E. B. K. *The Federal Civil Service as a Career.* Pp. vii, 325. Price, \$1.50. New York: G. P. Putnam's Sons, 1909.

Various phases of the civil service rules have been discussed at length, but this is the first manual which attempts to show in a general way the advantages and disadvantages of government employment, methods of entering the service and the limitations of the service as a career. The opening chapters give a general sketch of the government's business methods. Then follows a discussion of the merit system with a rather detailed consideration of the examinations, salaries and the chance for advancement. The author is enthusiastic over the opportunity offered to the young man by the public service for getting an education in one of the universities of the capital, while at the same time supporting himself. The service, as at present organized, hardly offers opportunities which will permanently attract the ablest young men. If the higher offices outside the so-called civil service proper are desired, a political career must be entered. If the interests of the candidate are chiefly scientific rather than for a money return, there are many branches which give promise of substantial honors. From the standpoint of money, the service certainly does not pay, but in opportunity to give worthy service to mankind, the author believes the federal civil service is exceptional. The book is written in a popular style, while at the same time it brings together a mass of information useful for any one contemplating entering the service of the government.

Fry, William H. *New Hampshire as a Royal Province.* Pp. 527. Price, \$3.00. New York: Columbia University Press, 1908.

Graves, Frank P. *A History of Education Before the Middle Ages.* Pp. xiv, 304. Price, \$1.10. New York: Macmillan Company, 1909.

The author, who is Professor of the History and Philosophy of Education in the Ohio State University, attempts a very ambitious program. In the three hundred pages of this volume he seeks to summarize the civilization as well as the educational policies of savages, Egypt, Babylon, Phœnicia, China, India, Persia, the Jews, the Greeks, the Romans, and the early Christians. Nor is the author content with the wide field covered in the title of his work. He tries to bring the history of the educational policies of China, for instance, down to the present time.

The volume has the merit of stating succinctly the achievements of the various nations. The field is too big, however, for one man to cover satisfactorily in one volume.

Hart, Albert Bushnell. *Actual Government as Applied Under American Conditions.* Third edition. Pp. xxi, 599. Price, \$2.25. New York: Longsmans, Green & Co., 1908.

This book was reviewed and criticised in *THE ANNALS* upon its first appearance in 1904. The first edition contained a large number of errors of fact, which impaired to some extent its usefulness as a text-book. In the two revisions which it has since undergone, many errors have been eliminated and new bibliographical material added. A careful reading, however, shows that it is still by no means free from errors; but they are not important. As was said in the review of the first edition, Professor Hart's book is a unique and interesting work. All in all, it is the best college text-book yet published dealing with the general American system of government—national, state and local. It represents a new departure in text-book writing, treating as it does the political system of the United States as a whole, emphasizing the actual workings of government and providing the student with a large body of bibliographical material, both original and secondary.

Hepburn, A. B. *Artificial Waterways and Commercial Development.* Pp. 115. Price, \$1.00. New York: Macmillan Company, 1909.

The greater part of this volume deals with the development and life of the Erie Canal. Its title is misleading, as there are but three brief chapters on matters aside from the canals of New York. One of these makes brief mention of the canals of China, India, Continental Europe and the United States as a whole. Another discusses the Panama Canal, and the last contains a very general discussion of the relation between the waterways question and the conservation of resources. The minor chapters do not add to the author's main theme, namely, the need for improved inland canals. There is little similarity between the Suez, Panama or Sault Ste. Marie, which connects large bodies of water, and a canal such as the Erie.

In discussing the Erie Canal, however, much interesting historical data is presented in a readable form. Its early effect upon New York City, upon the trunk-line railways and upon western commerce is emphasized, and the relative decline of New York City is cited as evidence why the inland canals should be enlarged. While many deny any actual decline in the commercial position of New York, they may agree with the author that waterways should be improved, and that their function is "to supplement and complement, and not to rival the railways."

Higginson, Ella. *Alaska: The Great Country.* Pp. 537. Price, \$2.50. New York: Macmillan Company, 1908.

The nature of this book is perhaps indicated best by the facts that it has no table of contents and the chapters have no individual headings. The ordinary reader is so much accustomed to having definite topics put before him that the absence of these creates a feeling of hopeless bewilderment.

The book is an entertaining, rambling account of Alaska, related largely from personal observation. It gives many intimate touches of Alaskan life and conditions which can be gained only at first hand, and suggests the delights of summer journeys to this northern country. Numerous illustrations of high quality aid in presenting the attractive side of Alaskan scenery.

Hillquit, Morris. *Socialism in Theory and Practice.* Pp. ix, 361. Price, \$1.50. New York: Macmillan Company, 1909.

If anyone writes authoritatively on American socialism it is Morris Hillquit. As student, writer, propagandist and political leader, he has stood for years in the forefront of that movement. The author studies socialism in all its phases. In Part I, on the socialist philosophy, he contrasts socialism with individualism as a system of social organization, and discusses the relation of socialism to present and future ethics, politics and the state. Despite a commendable effort to clothe his ideal with flesh and blood, he is necessarily vague as to the future, but he does at any rate correct misconceptions of the aims of his party. If anyone hopes for much softening of Marxian dogmas from Mr. Hillquit, however, he will be disappointed. The labor theory of value, subsistence wages, absolute and irreconcilable class struggles—all the old revolutionary bravery appears unmodified. This is as though the orthodox economist should offer Ricardo's formulas as a satisfactory explanation of present economic life. Economic students to-day have got beyond Ricardo and Marx.

The second part of the book deals with socialism and reform. The author discusses summarily the principal modern reforms, most of which he welcomes because, as he thinks, they strengthen the workers in the class struggle, though he contemptuously dismisses them as insufficient except as they lead to radical change in the industrial basis of society. This socialist theory of reform has become familiar to all students during recent years. While such a lofty attitude may at times be irritating to the humble social reformer, doubtless he will not refuse the help of the socialist in achieving his ends. The book is a good one, and shows clearly both the strength and the weakness of American socialism.

Holdsworth, W. S. *A History of English Law.* Three vols. Pp. 1564. Price, \$12.00. Boston: Little, Brown & Co., 1908.

Reserved for later notice.

Holland, T. E. *The Laws of War on Land.* Pp. 149. Oxford: Clarendon Press, 1908.

Laws of war have been set for their own armies by several of the important countries. Mr. Holland in this short compilation aims to codify such usages as have by general acceptance become recognized as binding on civilized nations in time of war. Even now after the declaration of the Hague Conference of 1907 it must be admitted that there are many important points upon which no declaration has as yet been made.

The Hague declarations are made the groundwork about which the discussions of less generally accepted practices are grouped. There are valuable cross-references to the chief authorities. The latter half of the book contains a republication of the more important national instructions as to the laws of war on land, the text of the Hague declarations and an historical review of the chief diplomatic notes relating to the laws of war. Due credit is given to the United States for the forward step taken in issuing, in 1861, its instructions for the government of armies in the field.

International Tax Association: Addresses and Proceedings of—State and Local Taxation. Pp. 636. Columbus, O.: International Tax Association, 1909.

One of the most interesting movements of the day and one with enormous possibilities for the speedy solution of taxation problems is the movement which has crystallized in the formation of the International Tax Association. This body of thoughtful, public men from both Canada and the United States representing not only the tax-paying group but also state officials and teachers of the theory as well, are earnestly endeavoring to bring order from the chaos of inequalities found in the present system of taxation, and to formulate some well-defined working basis upon which tax gatherer and taxpayer may mutually agree. The volume of addresses and proceedings of the second annual conference, held in Toronto last October, contains many contributions of real value, covering a wide range of subjects and submitted by individuals whose experience in these matters commands deserved respect.

Of special interest are the topics on the taxation of forest lands and mineral properties, coming at a time when the conservation of natural resources is engaging the increased attention of the public mind. Inheritance taxes, both as a means of income and for purposes of social regulation are thoughtfully analyzed, and it is significant, in view of the present agitation for a national inheritance tax, that the addresses on this subject emphasized most clearly the fact that such a form of revenue should be logically left to the states and provinces. The importance of equitable and precise assessments of city property was unanimously recognized, theory and practice being compared in order to show definite results of attempted reforms. Public service corporations and life insurance companies as objects for taxation were made the subjects of several careful investigations, the former bringing up various points of interest regarding franchise regulation and capitalization of public industries. A paper on the history of constitutional provisions relating to taxation affords a good comparative outline of the tendencies in the different financial systems, as regulated by the local constitutions. A valuable report on Canadian methods of taxing corporations contains a digested account of laws and practices in the Dominion, illustrating the present tendency towards complexity. The volume is admirable, both in suggestion and in detailed exposition of one of the present problems.

Jenks, J. W. *Principles of Politics.* Pp. xviii, 187. Price, \$1.50. New York: Columbia University Press, 1909.
Reserved for later notice.

Jones, L. A., and Bellot, H. H. L. *The Law of Children and Young Persons in Relation to Penal Offenses.* Pp. xxv, 383. London: Butterworth & Co., 1909.

In view of the great interest now manifested in the welfare of children in this country this digest of the penal law of England in so far as it concerns

children will be helpful. It aims to be useful to the lawyer as well as readable to the layman. The protection afforded the young against the cruelty or neglect of parents, the laws regulating their employment in industrial life, and their amusements in public places as well as the law dealing with the punishment of youthful offenders, their training and education, are here set forth.

To legislators or those interested in securing legislation for the protection of children this will be a most valuable reference book. Unfortunately, the wide differences in laws in the American states make a similar compilation practically impossible for this country.

Jordan, David Starr. *The Fate of Icdorum.* Pp. III. Price, 90 cents. New York: Henry Holt & Co., 1909.

The allegorical interpretation of an economic problem is rare enough in this day and generation to call for comment. But when the allegory possesses not only the attributes of a prophecy which finds its own fulfilment but also a keen satire that reveals all weaknesses by its very humor, the subject itself takes on a new interest. As a treatise on the workings and incidence of the policy of protectionism, this little story of the French "Octroi" is thoroughly delightful, the fallacies of the adherents of this "ism" being cleverly exposed. To show the parallels occurring in American life, notes are appended as a means of translating certain recent events in the light of the allegory.

Kennedy, James B. *Beneficiary Features of American Trade Unions.* Pp. 128. Baltimore: Johns Hopkins Press, 1908.

An excellently worked out intensive study of the benefit features of American trade unions is presented. The work describes systems of insurance against death and disability, sick, out-of-work and superannuation benefits, and the methods of administration of these various forms of relief. The author has made a valuable addition to the literature on the American trade union by presenting a detailed study of a phase of union activity, which has been over emphasized in Great Britain and neglected in the United States.

de Las Cases, P. *Le Chomage.* Pp. 191. Price, 2 francs. Paris: V. Lecoffre, 1909.

This interesting little volume on unemployment has been highly commended by the Academy of Social and Moral Sciences. It deals but slightly with the statistics of unemployment, though it is evidently based on wide study in the leading countries of Europe. It discusses briefly the causes of unemployment and proposed methods of doing away with it. The body of the work, however, is devoted to a careful study of all the various systems of unemployment insurance. This comparative view will be valuable to students of the question of mitigating the hardships of those out of work.

MacDonald, Duncan B. *The Religious Attitude and Life in Islam.* Pp. xiii, 317. Price, \$1.88. Chicago: University of Chicago Press, 1909.

To most of us the great world of Islam is hardly more than a name. The author makes us his debtors by this illuminating discussion of the inner

life of the adherents of a religion different from ours. He bases his discussion largely on the works of the historian, Ibn Khaldun, and the mystic Al-Ghazzali. The dogmatic, utilitarian character of the religion is emphasized. The reality of the next world, of the myriad spirits, good and bad, is made clear. Altogether the volume is an excellent work. The contents were given as the Haskell lectures on comparative religion at the University of Chicago in 1906. The author is Professor of Semitic Languages in Hartford Theological Seminary.

Maitland, F. W. *The Constitutional History of England.* Pp. xxviii, 547. Price, \$3.50. Cambridge: University Press, 1908.

Written before the time of his great contributions to English constitutional history, the author in this series of lectures lays no claim to original research. Reliance is placed upon Hallam, Stubbs, Dicey, Anson and similar classical text-books. The volume, therefore, lacks the evidence of mature scholarship that characterizes the author's special studies in mediæval law. Those who are just beginning the study of English constitutional history will welcome the book, however, because it puts in brief form and popular style the framework of the subject. It is an excellent introduction and one which is readable without being superficial.

The first chapters on the early period of English law make the most out of the scant materials at hand. They show the author's union of high speculative power with thorough command of the sources. Throughout the book there is a wealth of illustration from the life of the time and examples of the survival of early institutions in later law which give a good perspective of the general development. In the latter portion of the book, dealing with the public law of the period in which the lectures were written (1887-88), an opportunity is taken to review the field in the light of the facts already presented. The work lacks the polish which would doubtless have been given it if the author had lived to apply to its revision the results of his maturer scholarship. Nevertheless in its present form it furnishes the student an excellent picture of the trend of development in the English constitution.

McConnell, George M. *Presidential Campaigns from Washington to Roosevelt.* Pp. 245. Price, \$1.50. Chicago: Rand, McNally & Co., 1908.

Presidential campaigns are complicated by so many issues that the author who undertakes to describe them in two hundred and fifty pages must necessarily touch upon only a few of the chief characteristics of each. The chapters of this book characterize each campaign by its most prominent feature. The style is rather that of the newspaper than of the more serious text, but the discussions are uniformly interesting and will doubtless bring the book on that account a popular acceptance which the more scholarly treatise would lack. The presentation of the period from Jefferson to Van Buren is the best portion of the work. The discussion of the newer campaigns necessarily leaves a rather indefinite impression, as the events are too fresh in our minds to have assumed their proper perspective. The last chapter discussing campaigns as intended and as conducted is one of the most valuable in the book.

Montgomery, H. B. *The Empire of the East*. Pp. 307. Price, \$2.50. Chicago: A. C. McClurg, 1909.

Reserved for later notice.

Münsterberg, Hugo. *Psychotherapy*. Pp. 401. Price, \$2.00. New York: Moffat, Yard & Co., 1909.

Noyes, Alexander D. *Forty Years of American Finance*. Pp. 418. Price, \$1.50. Boston: G. P. Putnam's Sons, 1909.

Otis, William Bradley. *American Verse, 1625-1807, A History*. Pp. xiv, 303. Price, \$1.75. New York: Moffat, Yard & Co., 1909.

A decidedly novel method in the interpretation of American history is presented in this book of the seventeenth and eighteenth century verse. Without attempting an anthology, or biographical review, an arrangement has been made of the product of "the poetic mind," with due regard to subject matter and chronology in a way that accurately portrays the spirit of the time. The historical, religious, political and satirical contributions are each studied in order to discover the social conditions and sentiments of the particular period which brought them forth. Beginning with the landing of the Pilgrims and the settlement of New England, up through the various stages of colonization and the Revolution to the first decade of the nineteenth century, the activities and thoughts of the different races and sects, forming the nucleus of our nation, are vividly mirrored in the virile, somewhat crude, but none the less characteristic verse of the pioneer epoch. Somewhat to the reader's surprise, there is found throughout an essentially "American" note, an originality that represents an independence, a pride in a new world with new and freer conditions,—all disproving the popular idea that early American poetry was wholly imitative.

Reeder, Robert P. *Rate Regulation*. Pp. 44. New York: T. and J. W. Johnson Co., 1908.

As a rule it is not difficult to review a book, much less a monograph. Either its good points are so striking or its bad points stand out so prominently that even the casual reader is impressed with the quality and the extent of the author's effort. There are books, however, particularly those purporting to deal with legal subjects, that fail to yield up the secret of their being because their theme is too deeply buried in a mass of citations. Others of a similar character follow the beaten path of some great writer on jurisprudence, rearranging his outline and using his citations. This rarely is a compliment to the writer who has blazed the way and almost never results in more than passing notice of the plagiarist.

The monograph by Mr. Reeder strangely enough belongs to both classes. He shows a remarkable acquaintance with writers (to whom he accords credit) and a most unusual study of cases. If for no other reason the monograph ought to be remembered for its long list of cases. The preparation of such an extensive digest covering so few pages marks the extent of the author's service to the public.

The author is evidently opposed to the control of anything by commis-

sions. Court rulings force him to admit that the legislature may name rates and may even delegate this power to another body (p. 14). This admission is made with reluctance. The long introductory argument, covering about two-thirds of the monograph, could well have been omitted. Then the startling queries on the last page (44) would have reached the eyes of those quite outside of the student class. The author's purpose cannot be better shown than by quoting his closing paragraph. "Indeed, if the legislature may constitutionally grant a broad discretion to a railroad commission where must it stop? May not Congress delegate to a commission similar power over the tariff or over taxation in general? May not the state legislatures delegate to commissions similar power over the criminal laws? May not the power which is granted to seven men or five or three be granted to one man, and not upon one subject only, but upon every subject which now comes before the legislatures?"¹

Rivarola, Rodolfo. *Del Regimen Federativo al Unitario*. Buenos Aires: Jacob Peuser, 1908.

This volume, by the dean of the law school of the National University of La Plata, has aroused widespread attention owing to the fact that the main thesis of Dr. Rivarola's book is that while the Argentine Republic has a federal system in form, it is tending so strongly toward a unified system in fact, that it is desirable to have such condition recognized in the constitution. This question of the relation of the federal to the unified system of government has been discussed by Argentine publicists for nearly a century. The failure of the provinces to develop a distinctive local life, together with the tendency of the federal government constantly to interfere in local affairs, has prevented the growth of a vigorous federal system. Dr. Rivarola's work brings out these defects with great clearness.

It is true that the views advanced by Dr. Rivarola are not shared by any considerable section of the population, and that there is at the present time no tendency to make any changes in the existing constitutional system. Dr. Rivarola's book, nevertheless, is an interesting study of the actual operation of the Argentine system, and as such is indispensable to every student of Latin-American political institutions.

Ruhl, Arthur. *The Other Americans*. Pp. xi, 321. Price, \$2.00. New York: Chas. Scribner's Sons, 1908.

The chapters of this book appeared in Collier's and Scribner's magazines, and contain the observations of a skilled journalist during a prolonged tour through South America. The author's excellent style, his appreciation of the picturesque, combined with a keen sense of humor, make the work delightful reading, and will certainly arouse the interest of many persons to whom South America is at present a closed book. The author could not hope and does not pretend exhaustively to examine any phase of Latin-American institutions, but simply gives the first impressions of a North American during a hurried tour through the leading Latin-American repub-

¹Contributed by Ward W. Pierson.

lies. Judged by this standard, Mr. Ruhl's book is a most suggestive series of notes on Latin-American affairs.

Schouler, James. *Ideals of the Republic*. Pp. xi, 304. Price, \$1.50. Boston: Little, Brown & Co., 1908.

This volume consists of a collection of lectures given by Dr. Schouler at the Johns Hopkins University during the past two years. It is of especial interest as it forms the valedictory of this distinguished author to the general public.

The preface states that "the purpose of the present volume is to trace out those fundamental ideas, political and social, to which America owes peculiarly her progress and her prosperity, and to consider the application of those ideas to present conditions." In carrying out this plan, Dr. Schouler presents in an interesting and lucid manner the political and social ideas embodied in the early American constitution and bills of rights and traces their subsequent development and present trend. In addition, other subjects treated include the union of the states and centralizing tendencies, the civil service, parties and party spirit and the need of a new federal convention to propose amendments to the constitution. This last paper was first presented as the presidential address before the American Historical Association in 1897, suggesting the idea that has been urged by several prominent political scientists more recently.

The author's presentation of his subject is sane and just, and his views will generally command acceptance. It must be admitted, however, that the treatment is stronger upon the historic side than in its application of these ideals to present-day conditions. Again, the political ideas are more adequately presented than the social ones. The discussion of the struggle between labor and capital and the duty of the government to maintain social equality is presented from the point of view of one who was reared in the school of individualism, and whose philosophy has been only partially modified by recent tendencies, but not sufficiently so as to cause him to favor the modern drift in the direction of paternalism. This volume will prove of value as a helpful historical résumé of the origin and development of the political ideals which have prevailed in this country. Unfortunately there is no index.

Scott, Colin A. *Social Education*. Pp. xi, 300. Price, \$1.25. Boston: Ginn & Co., 1908.

Social education is a term to conjure with, but the realization of a plan which will prove satisfactory for the training of our boys and girls for efficient service in the life of to-day may require the work of years of experiment. In this book the author—a psychologist—approaches the problem from the point of view of the task of the school in preparing children for "effective social service of a self-organized and voluntary character." Efficiency tests are now applied to the work of the schools, but judgments can more easily be formed in regard to the work of the special, trade and professional, than the public school. Furthermore, the work of the public school is so comprehensive as to make the application of rigid tests difficult

while the service of other schools may be easily tested because judged from a narrower point of view.

The author proceeds to discuss three types of schools in which the social spirit has manifested itself; the school organized along monarchical lines, a certain English school being used as an example; the George Junior Republic, in which the principle of self-government dominates; and the Dewey School, with its pronounced social characteristics. The purpose, methods, achievements and limitations of each type are analyzed, and in subsequent chapters the importance of, and some experience in, self-organized group work in the average grade school are treated with ample illustration. In the chapter on Manual Arts many valuable suggestions are given and the social mission of the common school is set forth. Training in leadership, in social effectiveness and in honor are values which it should conserve. In the "Education of the Conscience" the author braves a new theme and charges the school with its measure of responsibility. The methods of school work suggested above would have a distinct value in this connection.

The author indicates the needs of both the school and society and offers the plan of self-organized group work as a partial solution because of its integrating effects as well as its incentives to individual development. In parts of the book, however, it seems that the subject discussed is "Effective Education" rather than "Social Education."

Seager, H. R. *Economics*. Pp. xii, 476. Price, \$1.75. New York: Henry Holt & Co., 1909.

One of the most interesting tendencies in technical school instruction is the increasing demand for economic teaching—both theoretical and practical. To meet this, Professor Seager has written a text-book which more briefly sets forth the theories and problems of political economy than is considered adequate for a university lecture course. Though based upon his well-known "Introduction to Economics" appearing six years ago, he has made some decided cuts in his table of contents and condensed the remaining topics for purposes of convenience. His aim is to clarify the theory and to bring the statistical information up to date, thus meeting the necessity of a shorter course for those who are primarily interested in the practical business problems of the day. Though considered by the author as an independent work, it cannot be said to contain anything very novel or radically at variance with views already cited. Its admirable arrangement as an elementary book for students of technical schools is its greatest merit.

Sheldon, Henry C. *Sacerdotalism in the Nineteenth Century*. Pp. ix, 461. Price, \$2.00. New York: Eaton & Mains, 1909.

Professor Sheldon has given us in this volume a concise statement of the systems of faith which exalt the priestly hierarchy, and bases his criticisms of them upon the principle that "so far as a church is controlled by sacerdotalism, it has turned away from the spiritual ideal of Christianity."

The first half of the volume is concerned with the Roman type of sacerdotalism. Ecclesiastical authority, which represents the church as the

infallible organ of truth, is criticised as logically demanding the pre-eminence of the church as a governing power, and consequently the subordination of the state. The development of papal absolutism is traced and the dogma of papal infallibility questioned. In the Greek Church sacerdotalism is of the aristocratic type, investing the ecumenical council with the highest authority, and is shown to fall below the Roman monarchic type in its control.

The Anglo-Catholic or High Church movement is traced in the Church of England. Patristic authority in interpretation and apostolic succession are discussed. The trend of this movement is claimed to be toward a more compact sacerdotalism with an aversion for Protestantism and an inclination to Rome. Less important developments of sacerdotalism are represented by the radical Neo-Lutherans, the Irvingites and the Mormons.

In conclusion the author urges evangelical Protestantism to recognize its great task of maintaining itself against the sacerdotal attempts to subjugate the world to the dominion of priestly sovereignty, which is already menaced by increased intellectual activity. As a work in polemics this volume is generally strong and is of value to the student of the relations of church and state as well as to the theologian.

Sinclair, U., and Williams, M. *Good Health and How We Won It.* Pp. 302. Price, \$1.20. New York: F. A. Stokes Company, 1909.

St. Maur, Kate V. *The Earth's Bounty.* Pp. x, 430. Price \$1.75. New York: Macmillan Company, 1909.

Reserved for later notice.

Towler, W. G. *Socialism in Local Government.* Pp. xiii, 336. Price, \$1.50. New York: Macmillan Company, 1909.

This book, a companion volume to "The Case Against Socialism," and, like it, issued by the London Municipal Society, is a sane and dispassionate account of the results of the municipalization of water, gas and electric lighting plants, telephones, tramways, the drink traffic, and various other matters of a like nature by the cities of Great Britain. Statistics and data from recent and reliable sources are presented, to show that for the most part such activities have been highly unsatisfactory, not only when considered from the standpoint of the price and quality of the service rendered, but also from that of the general effect upon industry and the people as a whole. The author admits that "unrestrained private venture is too likely to become tyrannical and contrary to public interest," but advocates a system of control and regulation as the only advisable alternative. Especially interesting is his chapter dealing with "Labor and Politics," wherein he shows the abuse of political power by municipal employees.

Van Rensselaer, Mrs. S. *History of the City of New York in the Seventeenth Century.* 2 vols. Pp. xl, 1173. Price, \$5.00. New York: Macmillan Company, 1909.

Reserved for later notice.

War in the Far East. By a military correspondent of the "Times." Pp. 656. Price, \$5.00. New York: E. P. Dutton & Co.

Reserved for later notice.

Webb, Sidney and Beatrice (editors). *The Minority Report of the Poor Law Commission*. Part I. The Break Up of the Poor Law. Pp. xvii, 601. Part II. The Public Organization of the Labor Market. Pp. xiii, 345. London and New York: Longmans, Green & Co., 1909.

It is universally recognized in England, as well as on the outside, that the recent Blue Book containing a report of the Poor Law Commission which, for several years, has been studying the administration of public relief in England, is one of the most important social documents of recent time. The commission found itself divided when it came to the question of recommendations for the improvement of the situation. The majority of the board favored certain modifications of the existing plan, while the minority advocated rather radical sweeping changes.

The volumes now under consideration are a popular edition of the minority report containing the exact text of the report but lacking the references to investigations and authorities cited in the original. Space prohibits any detailed mention of the contents of these volumes, to say nothing of any attempt to estimate the comparative value of the suggestions made by the majority and minority groups, or any attempt to estimate the feasibility of the measures proposed. It must suffice to call attention to the uniform recognition of the failure of the old system to adequately meet the needs of to-day. It is found that in spite of the efforts to abolish outdoor relief, it is widespread; that, in spite of the efforts to keep the able-bodied out of the almshouses, large and probably increasing numbers of able-bodied men and women are therein sheltered; and finally, that along with the existence of this workless population is a steady demand for the employment of children. The minority firmly believes that this situation is too complex and too widespread to be dealt with by any local authorities irrespective of their powers. The gist of the minority report contained in these two volumes is that there must be an organization of the national labor market under a cabinet minister, to be called perhaps the Minister of Labor. The department should be organized in six divisions: (1) The National Labor Exchange, (2) the Trade Insurance Division, (3) the Maintenance and Training Division, (4) the Industrial Regulation Division, (5) the Emigration and Immigration Division, (6) the Statistical Division. To this new department shall be transferred all the functions now performed by the various agencies dealing with the poor.

It is a matter of congratulation that this minority report should be reprinted in this form. No more important volumes can be secured by libraries frequented by students of social problems—unless perchance it is the complete Blue Book itself. No student of American conditions can afford to neglect the evidence here presented or to consider the feasibility, in our minds, of the suggestions offered, for we must clearly recognize that the same problems exist here and that our own system is none too satisfactory.

Weller, Charles F. *Neglected Neighbors*. Pp. 342. Price, \$1.50. Philadelphia: The John C. Winston Company, 1909.

The book is divided into two parts, the first of which discusses life in the

alleys; the second, in the tenements. The most notable things about the alley life are its immorality, the adverse surroundings of the children, the insanitation of the alleys, and the undesirable character of the social life there. The alleys are largely inhabited by negroes, and the picture painted by the author of the life there is as soul harrowing as the description of the English factory towns, during the early part of the nineteenth century. The insanitation in the Washington tenements, as depicted, is not exceeded by the worst conditions of New York. From the standpoint of Washington, the picture is not a bright one. Three remedies are offered for the alley condition—condemnation, commercialism and the opening of minor streets.

The remedies advocated for a change in the tenements are the typical ones centering about tenement house legislation. The photographs which fill the book are most excellent, but the descriptions of conditions show a lack of intimacy with the people. They are about things and about people, but they do not interpret sympathetically the alley and tenement humanity. The reading of the book leaves in the mind the impression that the author is guilty of groundless optimism. This criticism is based on his own facts which were gathered in 1905 and confirmed in 1908. During the intervening years, when he and his helpers had supposedly been working for the removal of the conditions, they had, according to his own statements, grown worse rather than better. The book draws a terrible picture, and fails to present any adequate method of relieving its horrors.

Wells, H. G. *First and Last Things*. Pp. 307. Price, \$1.50. New York: G. P. Putnam's Sons, 1908.

It is needless to say of any book written by Mr. Wells that it is interesting. This one is unusually so, because its author has undertaken to set out here without reserve just what he believes, and what is his rule of life. The complete modernness of it all strikes one first; it is utterly skeptical, yet wholly reverent and full of faith; it is intensely serious, yet never too serious, always irradiated with irrepressible humor.

In an introductory section on metaphysics, Mr. Wells pays his compliments to those dried-up persons who believe that they can explain the whole of life in terms of a yardstick and a test tube. Classification is at best only a necessary vice of the human mind, and everything is in the last analysis unique, individual, and hence significant in the scheme of things. Such mysticism grafted on to the tree of modern science yields a rich fruit of faith, and where the author has no reason for his faith other than that he chooses to believe as he does, he is frank enough to say so.

A system of conduct in which secrecy is the greatest sin is no less unusual than one in which man's chief duty is to educate, and firstly and chiefly himself. Of course that duty includes the spreading of socialism, but it is a socialism no more mischievous than "the awakening of a collective consciousness in humanity, a collective will and a collective mind out of which finer individualities may arise forever in a perpetual series of fresh endeavors and fresh achievements for the race." Marriage in something like its present form is a social necessity, yet Mr. Wells has no

harsh condemnation for those individuals who cannot conform exactly to the established standards. His tolerance is large, yet he has a keen perception of the need for law and conformity to it.

Nothing could give a better idea of the charm of the book than the chapter on immortality, in which we read of Stevenson: "If he lives, he lives as I knew him and clothed as I knew him and with his unalterable voice, in a heaven of dædal flowers or a hell of ineffectual flame, he lives, dreaming and talking and explaining, explaining it all very earnestly and preposterously, so I picture him, into the ear of the amused, incredulous principal person in the place." The whole book is a rare refreshment in its frankness, its large, generous faith, its broad tolerance for those who disagree, its hopefulness and outlook.

Williams, Charles D. *A Valid Christianity for To-day.* Pp. 289. Price, \$1.50. New York: Macmillan Company, 1909.
Reserved for later notice.

Williams, W. M. J. *The King's Revenue.* Pp. xvi, 221. Price, 6s. London: P. S. King & Son, 1908.

The title of this "Handbook to the Taxes and the Public Revenue" of Great Britain is at first glance misleading, but the author in his introductory chapter gives a clear and historical explanation of the phrase, which is meant to embrace all revenue, both from taxable and non-taxable sources. The volume is a compilation of financial statements and schedules of duties which are annotated and analyzed for the easy comprehension of the layman. A short history of the different indirect taxes laid from time to time is included as well as a careful discussion of the income tax. All revenue is divided into revenue from taxation (which includes customs, excise duties and taxes of all sorts) and non-tax revenue, comprising post-office and telegraph service, crown lands and miscellaneous revenue. The treatment is objective and practical, with no attempt to theorize or compare the various sources of revenue according to taxation principles. Its wealth of legal citation is conveniently arranged, and the mode of subject arrangement makes the volume specially valuable as a reference for students of the problems of national revenue.

Wright, Carroll D. *Outline of Practical Sociology.* Pp. xxvii, 431. Price, \$2.00. New York: Longmans, Green & Co., 1909.

The late Dr. Wright's outline of Practical Sociology is now in its seventh edition. It has been again revised with such additions of statistics as were made necessary by the latest material brought out by the census bureau of the United States. The changes in the method of taking the census have made accurate comparisons in some parts difficult because of the inclusion in 1900 of the white persons in the Indian Territory, Indians on reservations and the population of Alaska and Hawaii. There are also additions made to the general bibliography and to the lists of references at the heads of chapters. With these exceptions, the text remains the same.

The chief subjects treated are the basis of practical sociology; units of

social organization—political and social; questions of population—immigration, urban and rural population; social problems of city life; questions of the family—marriage and divorce, education, employment of women and children; the labor system, social well being—wealth and poverty; defense of society—criminology, the punishment of crime and the liquor question. There are numerous maps, diagrams and tables throughout the book which make available the results of the best statistical researches on each subject.

REVIEWS.

Allen, William H. *Civics and Health.* Pp. xl, 411. Boston: Ginn & Co. 1909.

The steady advance of the medical world in the understanding of disease has been accompanied by an increase in popular demand for elimination of its causes. No subject is to-day of wider interest than public health.

As a graduate student at the University of Pennsylvania, Dr. Allen studied rural sanitary administration. Later as head of the State Charities Aid Association of New Jersey, and as head of the Association for Improving the Condition of the Poor of New York City, he came into immediate and constant contact with many phases of the health problem. More recently as the secretary of the Bureau of Municipal Research he has dealt with the question of civic control and efficiency. The reputation justly gained from his earlier work is well maintained in this volume.

He begins by defining the "health rights" of a community and finds the best index thereto in the physical welfare of school children. In the next section he discusses means for studying school children and developing them physically. Part III deals with the measures adopted at home and abroad to meet the ends revealed, while Part IV describes the necessary official machinery.

In the last section Dr. Allen discusses the method of teaching health lessons. His emphasis on the necessity of truth in dealing with problems of alcoholism, the avoidance of exaggeration, is very timely. His suggestions as to effective measures deserve attention. This is a most readable book, of great value to any public-spirited citizen. There are many good illustrations.

CARL KELSEY.

University of Pennsylvania.

Angier, A. C. *The Far East Revisited.* Pp. xiv, 364. Price, 10s. 6d. London: Witherby & Co., 1908.

Millard, Thomas F. *America and the Far Eastern Question.* Pp. xxiv, 576. Price, \$4.00. New York: Moffat, Yard & Co., 1909. Both of these authors are especially qualified to discuss the problems of the Far East and have brought together important material showing the eco-

conomic rivalries which make the East a center of international interest. The viewpoint of each volume reflects the chief interest of the author. Mr. Angier is the editor of the *London and China Express*. He is well acquainted with the commercial politics of the Orient. Problems of colonial administration and possibilities of influencing the course of trade receive his first attention. Mr. Millard's book emphasizes the importance of politics as an element in determining the future control of the trade of the East. He has the advantage of a more intimate personal acquaintance with eastern affairs while Mr. Angier has made a more detailed study of the economic factors. Both books at times show newspaper style, indeed the material has to a large extent appeared before in the periodicals.

"The Far East Revisited" in its arrangement is a travel book. The first third presents a favorable report of what has been accomplished in the British Malaysian colonies and in Netherlands India. The last part contains the author's real contributions. He finds the trade of Chinese ports growing and efficiently conducted. Praise is especially given to the German activity in Tsing-Tao. The recent edicts intended ultimately to bring the maritime customs back into Chinese control the author thinks ill advised. The opium legislation also is treated in a way which recalls the opium war and the present interest of England in poppy culture in India, but at the last the author puts himself on record in favor of helping China curb the use of the drug.

There are two excellent chapters on present railway development in China. The Chinese desire to repurchase the "concession lines" is approved, but it is pointed out that foreign capital must be encouraged to invest heavily in Chinese railroads if the rapid development so necessary for China in the present crisis is to occur. Manchuria and Korea are reviving in trade, it is insisted, and the Japanese so much criticised for discrimination are on the whole acting for the best commercial development of the country. Japan's ambitions receive much more sympathetic treatment than is accorded by most recent writers.

Mr. Millard's book in this respect stands at the opposite pole. Japan to him is the disturbing factor of the Far East which all powers interested in the open door must be prepared to restrain. The United States especially should adopt an aggressive policy in maintenance of the principle of equal opportunity. Other nations have tentative spheres of influence marked out, but we will be read out of the Oriental market if the sphere policy should come to fruition. Japan's ambition is asserted to be the concentration of all the national energy to secure commercial supremacy in the East. Railways, industry and steamboat lines are subsidized for that purpose. All the acts of the government indicate the determination to keep control of more than Korea, which now is virtually a colony. The San Francisco school episode was conjured up by Japan to distract attention from her discriminations in Manchuria. Japan is already preparing for another great struggle, one greater than the war with Russia.

This part of the work, as the author admits in his preface, will meet criticism by many. But no one who reads the facts that are brought together

can fail to revise some of his opinions as to the present status of the open door. The military expenditures of Japan, the oppressive taxation and the methods adopted on the mainland are analyzed in a way which raises a strong presumption that at least a part of the author's thesis can be maintained. Manchuria is the "danger spot" of Oriental politics. It will be the scene within the next decade of another great war. If no new factors enter upon the scene the next conflict may see the abandonment of the open door and Japan in control of all north China. To check such a move the author relies on the new China and upon the United States acting as her friend.

The last third of the book is devoted to the Philippines. The author is a warm friend of the administration but admits that even now the islands are the shuttlecock of politics. The Philippine Assembly has not yet proven its efficiency but has done all that could be expected. As a base for our future trade and on their own account the islands have justified their acquisition. They are already self-sustaining and in time it is asserted they will develop a trade with the United States valued at eight hundred millions. In these chapters the author certainly does not err on the side of pessimism.

Mr. Angier and Mr. Millard have written books which bring out many contrasts of opinion. Both illustrate how difficult it is to form a correct judgment of the shifting factors of eastern politics, both show also how important it is that we should have such a judgment. The student of international affairs cannot afford to neglect either of these works.

CHESTER LLOYD JONES.

University of Pennsylvania.

Baddeley, John F. *The Russian Conquest of the Caucasus.* Pp. xxxviii, 518. Price, \$5.00. New York: Longmans, Green & Co., 1908.

For over a century Russia was occupied with subduing that country of heterogeneous population which goes under the general name of the Caucasus. There was practically incessant warfare going on for decades. So the Caucasus served as a training school for Russian officers and soldiers, and some of Russia's most eminent generals were sent down to conduct the operations against the stubborn resistance of the Murids.

Many Russian writers served in the army corps stationed in the Caucasus and later left in their writings classical descriptions of that country. Lermontov gave us "The Hero of Our Times." It is said that Tolstoy has prepared a book to be published after his death, which deals with the last period of the conquest of the Caucasus.

Official reports of generals supplemented by personal memoirs have been published and furnish a voluminous literature on the Caucasus. But no complete history of the conquest has ever been published, even in Russian, and this work of Mr. Baddeley is therefore a most important and useful contribution.

Mr. Baddeley is a non-military man and himself apologizes for dealing with military affairs, disclaiming all expert knowledge. His interest in the

subject was aroused by frequent and intimate relations with the native tribesmen, among whom the memories of fighting days were still most vivid. The material which he thus gathered locally from word of mouth he supplemented from official and other written authorities, and has given us here a carefully documented but most readable account of that long strife between the various Caucasian tribes and the "imperial" Russia.

The writer is quite frank in condemning many of the measures adopted by Russia in this work of conquest. But he is fair to both sides and does not hesitate to point out that Russia had to deal with a people who also showed no mercy and gave no quarter.

The character of that extraordinary man Shamil is carefully and minutely studied. A drawing of Shamil is the frontispiece of the book. It was because of his remarkable energy and his clever ability that Muridism became so important an element in the history of the Caucasus. It took years to shake the invincible belief in Shamil's power. He was "fired by religious enthusiasm and the love of liberty, or, as the Russians have it, by fanaticism and license." But conditions were all against him—the strength of his adversary, the partisan dissensions among the various tribes made his ambition unrealizable; and, as the author states, it was essential to the security of the people of the Caucasus that Russian authority be established there.

Since 1859, the date at which the conquest was complete and with which this book ends its narrative, the Caucasus has become rapidly Russianized, but the former spirit still prevails, and the former race antagonisms. In the recent political movement these "traditions" reappeared, and the Caucasus became, as of old, the scene of dramatic but tragic events, and again one traveled at one's risk and preferably under escort.

The Russian system of colonization, made possible by the existence of a farmer-soldier class—the Cossacks—is particularly exemplified in the history of the Caucasus—the plough accompanied the sword. Cossack stations formed the so-called "line" which was gradually pushed forward. When not fighting, these Cossacks devoted themselves to cultivating the soil. All the details of this effective method of colonization are worked out by the author.

Though dealing to a large extent with military operations, the book gives much space to a general description of the Caucasus, and its inhabitants, and to the social, political and economic problems involved in its conquest. It is therefore a book that should appeal to a general reading public and not merely to those interested in military affairs.

SAMUEL N. HARPER.

University of Chicago.

Beaulieu, Paul Leroy. *Collectivism*. Pp. xi, 343. Price, \$3.00. New York: E. P. Dutton & Co., 1908.

This abridged translation of Leroy Beaulieu's book on "Collectivism," by Arthur Clay, contains much useful material. There is scarcely an argument

for or against socialism that is not at least mentioned, and the case for capitalism is presented with enthusiasm, and in some respects with skill, though a greater readiness to admit its defects would strengthen the author's argument.

The first division of the book is an argument against land nationalization, which Leroy Beaulieu regards as mere limited collectivism. The second section is a hostile criticism of the theories of Lasalle and Marx, and of the scheme of socialistic organization outlined in Schaeffle's "Quintessence of Socialism." Such criticism, in view of the progress of economic theory, is an easy task, though perhaps even yet a necessary one. It is not necessary, however, to paint the highly colored picture of socialist tyranny that M. Leroy Beaulieu's imagination conjures up. Notwithstanding this exaggeration, most of the stock criticisms of collectivism are presented with force and point.

The third part of the work, in which the present position of socialist doctrine and policy is taken up, is the most useful division of the book. The outlines of the Bernstein controversy and of the revisionist discussion in France are well presented, and the opinions of important representatives of contemporary socialism are fairly set down. In his anxiety to demonstrate the essential similarity of the purposes of these writers, the author appears to us to have minimized perhaps unduly their differences. None the less, he gives a good idea of the present divergent state of socialist opinion.

The distinguished name of Leroy Beaulieu, so well known as a stout defender of the existing order, will attract many readers to this book who have never seen it in the original. While it is not a profound or sympathetic presentation of its subject, it is nevertheless a virile, well written criticism, and one adapted to set to thinking any who would thoughtlessly abandon the advantages of our present form of economic organization.

HENRY RAYMOND MUSSEY.

University of Pennsylvania.

Brückner, A. *A Literary History of Russia.* Translated by H. Havelock. Pp. xi, 588. Price, \$4.00. New York: Scribner's Sons, 1908.

Professor Brückner's original work in German has been and still is the authoritative book of Western Europe on Russian literature as a whole. His work is now made more accessible to the English-speaking public by this carefully prepared translation.

The editor of this English edition very justly notes in his introduction that as a Pole, Mr. Brückner has found it difficult to be quite fair to old Russia with which old Poland was in constant conflict. Thus he passes over the early period of Russian literature rapidly. The general reader is less interested in this period however, and it is the treatment of the later periods that forms the principal part of the work.

Russian literature more than any other has reflected economic, social and political conditions. The reaction of politics particularly upon letters is admirably traced by the author. The social purpose of literature in Russia

is properly emphasized, for one cannot understand the development of Russian writing unless one bears in mind this constant intrusion of "purpose."

The book is for popular usage, and is therefore not encumbered with constant indications of sources, but the best English translations of the Russian classics and of more modern writers are given. An appeal is made, however, to learn Russian in order to be able to study this enormous literature at first hand, for, as is stated, the difficulty of this language has been greatly exaggerated.

By reason of being most imperfectly known Russia has been much maligned, exploited by writers of sensation, and generally looked down upon. One is often dumbfounded at the absolute ignorance of Russian literature. Tolstoy is of course known to the reading public, but the other great lights of the same period and of earlier and later periods are often not known even by name. Yet Russia has produced some of the most eminent writers of the last century. If we must still wait for a satisfactory up-to-date political history of Russia we have here an admirable history of its literature, or more exactly, as the title indicates, the history of Russia in the matter of literature.

During the confusion of a vast political movement the "true lines of literary movement have been obscured," so that the last chapter does not bring us beyond 1905, though it points out the prevailing tendencies as presented in Gorky and Andreiev.

A word must be said of the scholarly and admirable preparation of this English edition by Mr. Minns, who has been for years a thorough student of the Russian language and literature.

SAMUEL N. HARPER.

University of Chicago.

Chancellor, William E. *Our City Schools, Their Direction and Management.*

Pp. xv, 338. Price, \$1.25. Boston: D. C. Heath & Co., 1908.

This work is supplementary to an earlier one entitled "Our Schools, Their Administration and Supervision." The former dealt with communities of from five thousand to fifty thousand inhabitants; in the present volume the discussion treats of larger cities.

The author accepts the social welfare of the democracy as the ultimate aim of the school and looks to education as the universal panacea for the evils existing in our great municipalities. "The city, the great city ever tending to become yet greater, is the insoluble problem of civilization; its degeneration and collapse have hitherto been inevitable. Universal education may be the missing factor by which mankind is to solve the problem." In this work, the establishment of proper system, the handling of physical details, what Thring called "the almighty wall," is considered the greatest need of our schools. "In the poor school system, the good school is an accident and is always in peril of destruction. In the good school system, the poor school is an anomaly and is certainly in process of reform and of improvement. In other words, I know that a good teacher cannot evolve a good

school everywhere, and, that a poor teacher is growing better or is removed where the right system prevails."

The treatment of the size of boards of education, of the relation of the board to the superintendent, the need of and functions of the special school, etc., is on a sane and workable basis; though as a contribution to the subject the work would be of more value if discussion with proof were substituted for dogmatic statement. This is one of a group of books now appearing which, by giving details of methods, records, forms, etc., aim to aid in unifying educational processes throughout the nation.

JAMES S. HIATT.

Germantown, Pa.

Conyngton, Thomas. *A Manual of Corporate Management.* Third edition.

Pp. xviii, 422. Price, \$3.50. New York: Ronald Press, 1909.

This compendious volume, furnishing a vast quantity of useful information, marks a decided improvement over previous editions of the same work. While writing for the most part with strict legal accuracy, its author has managed to avoid being technical. As the title indicates, the purpose of the work is to present within a reasonable compass a practical handbook of corporate management.

The book is divided into eight parts. The first five deal with matters of substantive corporation law. The last three contain various useful and well-chosen forms. The following outline indicates the scope of the book: Part I, The Corporate System; Part II, Stock; Part III, Stockholders; Part IV, Directors and Officers; Part V, Miscellaneous Corporate Matters; Part VI, Forms Relating to Incorporation; Part VII, Forms Relating to Meetings; Part VIII, Miscellaneous Corporate Forms. Almost every question that might arise in the ordinary management of corporate affairs is answered concisely within the limits of a single volume. Not the least valuable feature of the work is the number of forms, two hundred and two in all.

Like most works which deal with the law throughout the entire United States, Mr. Conyngton's book can do little more than give the majority rule in matters wherein the practice of corporations and the laws regulating them vary in the different states. In this country, corporations are altogether of statutory origin, and the legislatures of many of the states have apparently sought to outvie each other in the number and novelty of their statutes governing domestic and foreign companies. It were hopeless, for instance, to try in brief space to chronicle the vagaries, constitutional and otherwise, of Texas, Oklahoma and Arkansas lawmakers. One has no easy task in setting forth the law of corporations as laid down in any single state; the statutes and judicial decisions of over forty states are in many matters utterly discordant and cannot be exhaustively summarized in a single volume.

A general work of this kind, therefore, while it will lighten the labor of corporation officials and give them an intelligent appreciation of what might otherwise seem meaningless red tape, cannot be regarded as an inex-

pensive substitute for a lawyer's advice. But even a corporation lawyer may find much that is helpful in Mr. Conyngton's manual.

JOHN J. SULLIVAN.

University of Pennsylvania.

Crichfield, George W. *American Supremacy.* 2 vols. Pp. xvi, 1244. Price, \$6.00. New York: Brentano's, 1908.

From internal evidence it appears that the author is an engineer who has had wide experience in construction work in Venezuela. His life there has furnished him with many examples of the faults of South-American governments. As a consequence, the whole tone of his volumes is one of acrid criticism. South Americans, as a whole, are criticised as semi-barbarians and liars. They can never achieve responsible self-government. The United States should assume control over the ill-ordered republics. One of the great impediments to this course is the Monroe Doctrine, which the author criticises as a national superstition, a bar to civilization and a menace to our peace and safety. Peru, Chile and the Argentine and Mexico should for the present be left to themselves. Costa Rica, Brazil, Uruguay and Paraguay, are governments not worthy of recognition, but not wholly bad; all the other countries "have sinned away their day of grace."

An author who writes with so much animus, seriously limits the hearing which he will receive. These two large volumes contain, however, a mass of valuable information. The extended quotations from various works on South America give us material not elsewhere easy of access, but lack of orderly arrangement and digressions covering dozens of pages swell the volumes far beyond what should be their size. Among the latter are an attack on the Supreme Court; a discussion of the naturalization law of the United States, containing numerous misstatements of fact, and a summary review of European colonization.

The interpretations of fact are in so many places unfair that the criticisms in unfamiliar fields cannot be accepted without question. For example the author thinks the most we can hope for in the United States is that the good accomplished by our courts will exceed the evil. The defects of South-American cities and of Chicago and New Orleans, in matters of sanitation, the author holds are not far different in degree. "It is time that the cities of these countries and Chicago and New Orleans should be cleaned up."

Secretary Root's visit to Brazil is discussed in detail. The author concludes, "The shouting of frenzied crowds . . . the clamor of bands, the booming of cannons, the cut-glass and bouquets may fool Elihu Root, but they cannot deceive me." Unfortunately, such estimates as these are almost typical of the author's attitude. Even discounting the manifest bias of the discussion the books present material which makes a strong impeachment of many of the governments. There is so much unstinted praise of Latin-American advance that a presentation of the other side, even though *ex-parte*, is welcome.

CHESTER LLOYD JONES.

University of Pennsylvania.

Crozier, John B. *My Inner Life.* 2 vols. Pp. xxiii, 551. Price, \$2.50. New York: Longmans, Green & Co., 1908.

This book, as its title indicates, is more of a description and explanation of a personal evolution than an autobiography in the ordinary sense of the word. We have a detailed account of the successive steps by which the writer's system of thought grew and took place in his mind. Instead of giving his ideas of the world and life as abstract propositions, he shows them as they passed through his own mind which was modified by them and which in turn reacted upon them.

Beginning with his boyhood in Canada he takes us with him along the course of his life. While still a boy he becomes much interested in phrenology. This, to him, is the index and measure of the human intellect, but it soon fails. Religion does not solve the world problem for him. His questioning is not answered by reading Buckle, Mill, Carlyle and Emerson. Turning from books, he tries to rely upon his own inner consciousness. His years in a medical school open before him a new horizon. The reading of Darwin, Huxley and Spencer makes him question all the more.

In Volume II he tells us of his life in England and of his further search after the explanation of the world and the human mind. There are interesting criticisms of many writers and philosophers, among them Carlyle, whom he visited in his home in Chelsea. The modern metaphysical thinkers repel him because in explaining the phenomena of the world and human life, they fail to grasp the idea of the dependence of mind upon matter. The "Poetic Thinkers"—Carlyle, Goethe, Bacon, Newman—do not explain the Universe nor give a practical solution of the world problem.

The writer finally solves his problem by demonstrating to himself the existence and progressive realization of the Ideal—the Divine—in the human mind and in the world. He throws out physical science as a method for solution of the problem of existence and supports in detail what the "Poetic Thinkers" had seen in a general way but had not fully demonstrated. He believes that the laws and tendencies of the world are working slowly and surely toward an ideal and the expulsion of evil. This evil he shows is an instrument of the principle of individuation, a necessary instrument if the world is to reach its own goal through the play and interaction of individual things and not as a total entity.

LURENA WILSON TOWER.

Philadelphia.

Dutton, S. T., and Snedden, David. *The Administration of Public Education in the United States.* Pp. viii, 601. Price, \$1.75. New York: Macmillan Company, 1908.

The importance of administration, both as a science and as an art, is far better understood in this country than it was a decade and a half ago, when Professor Goodnow brought it to the attention of the American public by his treatise on comparative administrative law. Moreover, education, both as science and as art, has gained immeasurably during that time, especially

on the administrative side. School administration, whatever else it may be, has come to be recognized as a great business enterprise, calling for much the same sort of intellectual qualities as are to be found in the successful entrepreneur. Most timely, then, is this first attempt to give an extensive survey of the field of educational administration in the United States; and fortunate is it that the work has fallen into such competent hands. As professors of school administration at Teachers' College, Columbia, the authors have had rare opportunities to make first-hand studies of the problems involved.

All phases of the complicated subject are touched upon in this work, suggestively rather than exhaustively, and with no desire to be dogmatic. The various administrative units—state and local, rural and urban—are brought into relief, each with its respective set of functions and its corresponding financial status. Two chapters are devoted to city school systems, for the school department of an American city "is easily the first in importance of all municipal functions." Succeeding chapters are concerned with the schoolhouse, text-books and supplies, courses of study, grading and promotion, the teaching staff and the special features of the high and the normal school.

Now follow chapters of more general interest to the student of social problems. Rational physical development; vocational training; education for dependent, defective and delinquent children; compulsory education and child labor; continuation schools; the school as a social center. In the supervision and administration of these varied activities—all of them educational in the best sense of the term—the state is to play a role of increasing importance. In fact, the authors would have the state take a distinct step in advance, by using its public school system as a clearing house of information and guidance for every child, normal and abnormal. "There should be a registration of every child in the community, and to some central authority, perhaps the public school, should be assigned final responsibility for accounting to society for every individual. Under this central authority the various agencies (public and private) should work in co-operation. The public school should segregate unmanageable or defective children; it should follow up the truant; it should proceed against negligent parents; it should procure the commitment to institutions of those whose homes are no longer sufficient; it should work hand in hand with the juvenile court; it should direct agencies to aid in the employment of children; and it should organize probation and parole. Its registration and other records should show the disposition of every child of the community within the ordinary years of education." An ambitious program for the public school—but why not?

Mention must be made of the two admirable chapters on educational statistics, one relating to the purely financial side, the other having to do with school records and reports. The authors rightly argue that the public school system, like any other department of public administration, not only must be socially efficient, but must seek to demonstrate that efficiency statistically to the public that pays the bills—so far, that is, as figures are capable of measuring a work not all of whose results lie in the realm of material

things. Among the facts easily capable of statistical discovery, in order to make possible a remedy, are those relating to retardation and withdrawals in both elementary and secondary schools.

With its wealth of systematized material, including well-selected bibliographies at the end of each chapter, and its progressive, scholarly viewpoint, the work will serve admirably as a text-book for normal school or college. And equally indispensable will it prove as a hand-book and work of reference for the school expert, for the social worker or the non-professional student of the child problem, and for the young teacher who would know the metes and bounds of the field wherein he has chosen to do his lifework.

J. LYNN BARNARD.

School of Pedagogy, Philadelphia.

Ferrero, G. *The Greatness and Decline of Rome.* Translated by A. E. Zimmern. Four vols. Pp. 1350. New York: Putnam's Sons, 1907-1908.

Not since the publication of Mommsen's History of Rome more than fifty years ago has a work appeared in this field that has excited so much interest and discussion both among scholars and the public generally as Ferrero's new book. He does not treat in detail the earlier period covered by Mommsen, but after a brief survey of it in his first five chapters, begins his real narrative with Cæsar's *début* in politics. Yet these preliminary chapters indicate the peculiar method of the author and suggest the points wherein his treatment furnishes us with so important a contribution to Roman history. No long array of new facts is brought to light. This is not to be expected in a field where the sources are so scanty and have been so assiduously worked over by generations of scholars. But the material has been subjected to interpretation by one who comes to the task with an equipment and with interests quite different from those of the average historian. Ferrero began his career as a student of sociology and economics. He was known as a collaborator with Lombroso in an important work on criminology, *The Woman Criminal*, and as author of *Militarism*, *The Psychology of Symbolism*, etc., before he took up historical work. In fact, it was his interest in the problems of modern society and a desire to understand the workings of social forces in the past that first led him to make investigations in the field of Roman history. He approaches the task, therefore, in a somewhat different spirit from that of his predecessors, and his chief claim to consideration is that his interpretations are based on a greater variety of facts and bring into view the play of more complicated influences than is the case with other works on the subject. This is not to say that he has neglected the more immediate business of the historian to determine the truth of events and their sequence. He appears fully abreast with the most recent investigations of French and German scholars in this field, and is capable of rigid treatment in the use of the sources, as is seen in his handling of the letters of Cicero, but few writers have been at so much pains to show

the influence of intellectual, economic and social forces; to understand the significance of the literary activity of the time both as a cause and an effect of public sentiment; and to analyze and interpret the character of the individual actors in the drama so as to define and limit their influence on the progress of events.

It is, in fact, in the psychological analysis of the chief figures of Roman history that one of the most important features of the work lies. It is here that a curious contradiction may be noticed between the earlier and later volumes, between the author's theory and his practice. He holds firmly to the view that the individual counts for little or nothing in determining the course of events. "Human history," he says, "like all other phenomena of life and motion, is the unconscious product of an infinity of small and unnoticed efforts"; and he has applied the theory to Cæsar, in the first two volumes, to correct the exaggerated hero-worship of Mommsen and to reduce the destroyer of the old Roman constitution to human proportions and make him more comprehensible. On the other hand, Ferrero clearly indicates that the history of the last years of the Republic was dominated by Cæsar's genius, and that his views and plans determined the whole subsequent career of Antony; while the peculiar character and personality themselves of Augustus fixed the form of the new government after Actium. Had Augustus possessed the genius and energy of Cæsar or the restless ambition of Antony, the subsequent history of the empire would have followed quite different lines. Thus in his actual treatment of events Ferrero somewhat modifies his fatalistic theory and successfully holds the balance between the spirit of the age, the "unconscious product of unnoticed efforts," and the action and reaction of great personalities thereupon.

As a socialist, Ferrero seeks a thoroughly materialistic interpretation of history and finds in economic forces the final explanation of the growth and decline of Rome. The narrow, aristocratic and agricultural society of ancient Rome was broken up and transformed by the coming in of a mercantile era following the destruction of Carthage. The old discipline disappeared before the new wealth and luxury, as did the agricultural organization of Italy. Wealth accumulated in a few hands, but not always in those of the old aristocracy. The new standards of life required new conquests to maintain the flow of wealth to the centre and thus a deliberate imperialistic policy was forced upon the leaders to meet the needs of the Italian population. The discontent of those excluded from their share of the plunder furnished the support for revolution and the old constitution was overthrown. The decay and exhaustion that accompanied the civil wars led ultimately to the establishment of an equilibrium between Italy and the provinces. Industry was revived in the peninsula in new forms and a long era of comparative peace came in with the empire. At the same time new elements of discord were being introduced through a deep but silent social transformation that was taking place—the orientalizing of the West. Greek culture, the luxurious civilization of the East, better suited the new materialistic society and gradually conquered the West in spite of much opposition until finally a uniform orientalized culture pervaded the whole empire, ac-

counting, among other things, for the spread of Christianity. Finally the West and East began once more to differentiate, the two parts of the empire fell apart and this tendency found expression in the reorganization of Diocletian. Thereafter the West went its own way to the Middle Ages, and at this point Ferrero proposes to bring his work to a close.

The four volumes that have so far appeared in English translation (the translation of the fifth and last volume to appear, as yet, in the original is promised for this spring) bring the history down only to the year 23 B. C. A work on such a scale and one, moreover, that is so permeated with the individual theories of the author, has naturally given rise to great controversy. It has been received with much enthusiasm in France, with more reserve in Germany and, strange to say, has found its most bitter opponents among the writer's own countrymen. It is the general opinion, however, that the work is a most important contribution to our knowledge of Roman history and it steadily improves as it goes on, the author showing a constantly increasing command of his sources and mastery of historic method. So, too, his interpretations seem to become less *a priori* opinions in support of which facts are cited than conclusions flowing naturally from a narrative told for its own sake.

Few will lay down the work without feeling that it has thrown light on many obscure points in the period. An English scholar has spoken of the book rather contemptuously as merely a series of brilliant guesses regarding the history of Rome. In a sense this is true. In the same sense it is equally true of all the good histories of Rome ever written. The sources for the elucidation of the period are so meagre that anyone who undertakes to write its history is compelled to fill in the innumerable gaps in our direct knowledge by conjecture and inference regarding many events and the probable forces at work. What distinguishes the work of Ferrero is precisely the brilliancy of his guesses—the satisfactory manner in which they make the epoch live again. So far, they suggest to the mind a fairly adequate explanation of the building up of the Roman empire and the overthrow of the republican constitution.

A. C. HOWLAND.

University of Pennsylvania.

Henderson, Charles R. *Industrial Insurance in the United States.* Pp. 429. Price, \$2.00. Chicago: The University of Chicago Press, 1909.

Although this volume is in the main an English version of a German book on this subject much new matter has been added. As far as possible it is an up-to-date discussion of the history and problem of industrial insurance—a piece of work badly needed because of the absence of recent literature on the subject.

The author, in a single chapter, surveys industrial insurance in Europe and Australia, giving a brief description of the different systems in vogue, and the present tendency toward insurance in Great Britain. In discussing

the subject for the United States, Professor Henderson sets forth the fundamentals on which a sound insurance policy should rest. The problem of accidents is considered, but unfortunately the paucity of data makes a satisfactory discussion of trade life impossible. Our advancement is epitomized in the following sentence: "America has no system of industrial insurance, but a beginning has been made from various starting-points—local societies, trades-unions, fraternal societies, employers' initiative, private corporations, casualty companies, and municipalities." In subsequent discussion the mutual benefit associations organized in many mercantile and manufacturing establishments receive considerable attention and an entire chapter is devoted to the benefit features of the trade unions. The insurance features of fraternal societies are briefly stated and the plans of certain corporations and railway companies are given with considerable detail. The interesting movement in favor of pensions for public school teachers calls for a brief outline as well as our national and state pension system.

The author gives some attention to preventive work and effectively analyzes the subject of employers' liability. Additional subjects included are: factory inspection, legislation against accidents and disease, against long hours, and laws protecting women and children. The book contains a number of valuable appendices, these consisting largely of rules and agreements of various benefit associations. An English book on this important subject is timely and for the present this volume supplies the deficiency

GEORGE B. MANGOLD.

St. Louis, Mo.

Key, Ellen. *The Century of the Child.* Pp. 339. Price, \$1.50. New York: Putnam's Sons, 1909.

In this book the author discusses a topic of vital importance to our development as a nation. The rights of the child have too long been unrecognized, the right to choose his parents, to have a home, to secure the proper kind of education. Not only the duty of all parents to so order their lives that their offspring may be of the highest possible type is excellently brought out by Miss Key, but also the special duty of the mother to the unborn race. She is correct in saying that the participation by women in most unskilled trades unfits them for the duties of motherhood, but she rather overlooks the fact that the exchange by an ever-increasing number of our more highly-educated women of their former unskilled domestic tasks, for skilled, extra-domestic occupations may not only not injure them physically, but vastly improve their mental and moral capacity for child training.

The right of the child to expand freely rather than be molded by our present repressive education, and his right to a real home in which to expand are also further developed. In conclusion, Miss Key's program for an ideal

education, though acknowledged as a "mere dream," is an interesting forecast of the education of the future.

NELLIE MARGUERITE SEEDS NEARING.

Philadelphia.

Kuropatkin, A. N. *The Russian Army and the Japanese War.* Translated by A. B. Lindsay. 2 vols. Pp. 657. Price, \$7.00. New York: E. P. Dutton & Co., 1909.

The memoirs of a man who had the courage to assume as his own the responsibility for the Mukden disaster could not be tame commentaries. Kuropatkin is the general who, in spite of failure, came out of the Japanese War with the highest esteem of the Russian people and of military men the world over. His criticism of the Russian situation, therefore, deserves especial consideration. The two volumes here presented are chiefly a translation of the fourth volume of a large work which was at once suppressed on its publication in Russia.

The first volume points out what the foreign policy of Russia is and should be. An historical review of the growth of Russia shows that her chief interest before the war should have been to protect the German-Austrian frontier. Every reason was present for avoiding a conflict in Asia. Money, men, public opinion and means of communication, none were ready for the struggle. The War office was determined on peace in the East as early as 1898. It was difficult to follow this plan because of the increase of Russia's interest in the Far East due to the activities in that section carried on under the administration of Witte. Finally Japan was able to bring on a conflict through brusque diplomacy aided by the stubbornness of Alexeieff. Evidence is given to show that the break was hastened through the scheme of a promoter, Bezobrazoff, who interested a group of the nobility, including the King, in the Yalu Timber Company operating in Korea. Millions of roubles are said to have been invested in the enterprise. This view behind the scenes is supposed to be one of the reasons why the book was suppressed in Russia.

The disadvantages under which Russia labored in the war are reviewed. They include civil dissensions, unpreparedness, the weakness of the Siberian Railway, the failure of the cavalry, the failure of water communication and most important the fact that the war was unpopular. In spite of all this the author asserts that the defeat could have been turned into victory and that Russia was at no time in so favorable a position as at the making of peace. The railway had been made efficient, there were plenty of arms, an abundance of supplies and a remarkable improvement in *morale*. Japan, on the other hand, was weakening under the strain. Old men were found among the prisoners, her credit would not allow further borrowing and public opinion was beginning to turn against the war. Peace under such a condition is only a truce.

The second volume details the organization of the Russian War office with suggestions for improvement of the army in personnel and arms. One

hundred pages summarize the war, especially the battles of Liao Yang, the Sha Ho and Mukden. An interesting series of letters is published which sheds light on the affairs of the Yalu Timber Company. Though there are passages that are hopelessly profuse this work makes a decided contribution to our knowledge of the war. It brings us nearer to an understanding of Russia's defeat and to a realization of her future ambitions in the Far East

CHESTER LLOYD JONES.

University of Pennsylvania.

Lownhaupt, F. *Investment Bonds.* Pp. x, 253. New York: G. P. Putnam's Sons, 1908.

As stated on the title page, this is "a book for students, investors and practical financiers." In treating the subject of bonds as investments the usual method is to divide them into several great classes according to the character of the organization which issues them, such as governmental, municipal, railroad, street railway, interurban and industrial. Each of these classes is given special treatment, the important considerations in the investigation of a bond of each being set forth. Mr. Lownhaupt's work, however, proceeds along quite different lines.

The method followed is to isolate in turn each of the important features of a bond, features which tend to give it investment strength or weakness, and to discuss it at considerable length; many of these features, of course, are common to bonds of all classes. Thus, to use the author's own words, "the contents of this book have been developed with reference to two principal ideas, that of the relation of the bond to its issuing corporation and the general investment aspect of the instrument. These central ideas have been developed to treat of classification of issuing corporations and specific issues; processes of issue and the practice of negotiations; market, in its extent and general conditions; interest, in its definition, methods and times of payment; security, in its relationship to various types; default and its effects; reorganization and how accomplished, etc., together with other important features," such as legality, guaranties, taxation features, privileges of exchange and conversion, voting power, sinking funds, serial features and so on. In his discussion and illustrations the author displays a comprehensive and up-to-date knowledge of the facts of financial history.

THOMAS W. MITCHELL.

University of Pennsylvania.

Moody, John. *Moody's Analyses of Railroad Investments.* Pp. 551. Price, \$12.00. New York: Analyses Publishing Company, 1909.

The author of the "Analyses of Railroad Investments" has undertaken, along somewhat original lines, to demonstrate in an intelligent and scientific way the relative values of the different railroad securities. The subject of rail-

road operation and management is considered in a series of introductory chapters that endeavor to develop sound principles for the intelligent use of the investor and banker in judging the approximate values of the different issues. These principles are then applied to the different railroad systems in the series of analyses in the remainder of the volume. On the basis of these deductions the different issues of railway securities are given as approximate rating to reflect their values. Mr. Moody has particularly emphasized the importance of considering the earning power of the properties over a long series of years as the primary factor in passing upon the values of the different securities. The entire decade, ending with 1907, is considered in all cases; and, in the tables presented, the average results for the decade are considered to be the controlling vital factors. For the investor or other person who buys securities or acquires an interest in railroad properties for other than mere speculative purposes, the demonstrations made in this book should be of great value. As pointed out in the introduction, the question of permanency in a railroad enterprise is a most important one, and the record of a railroad during the preceding decade should, at least to some extent, indicate the probable trend in business and earning capacity of the property during the coming decade.

The author states that the manuscript of the book was submitted for criticism and comment to many bankers, accountants and other experts, and the judgment of practically all who undertook to pass upon the work was of a most favorable nature. The volume is, indeed, of high merit. It is essentially different from the ordinary statistical or financial publications. It is a book written to present deductions, not merely to tabulate information. It will doubtless be appreciated both by individual investors and also by others who are interested in railroad values. Students of transportation will likewise be grateful to Mr. Moody for including in the volume the uniform accounting requirements for steam railroads as prescribed by the Interstate Commerce Commission. These "requirements" occupy sixty quarto pages.

EMORY R. JOHNSON.

University of Pennsylvania.

Rasmussen, K. *The People of the Polar North.* Pp. 357. Price, \$5.00. Philadelphia: J. B. Lippincott Company, 1908.

In the compilation of this book from the Danish originals and editing it in the English language, the translator, M. Herring, has done a good service for all who are interested in the study of the human race. The book is especially interesting because it deals particularly with the most northerly branch of mankind, the Polar Eskimos, who live a more or less nomadic life, nearly a thousand miles beyond the Arctic circle. Two other distinct branches of Eskimos are included, the civilized and Christianized natives in west and southwest Greenland, and the natives of the east coast. Less interest, however, is attached to these latter groups since they are not in the same degree extreme outposts of the northern world, hence rather more than two-thirds of the volume is devoted to the most northerly tribe.

The volume is especially significant in at least three respects. In the first place it appears as a great relief from the usual type of Arctic exploration, the object having been to learn something definite about the life, religious beliefs, customs and legends of a little known race. Secondly, the author, as the son of a Danish missionary to Greenland, speaking the Eskimo language from boyhood and with a touch of Eskimo blood in his own veins, was peculiarly fitted for a sympathetic understanding of these people. Finally, the Polar Eskimos are disappearing so rapidly before the ravages of disease and the hardships of nature, that this first research into their folklore will probably be the last. It is particularly fortunate, therefore, that the records have been utilized before it was too late.

The most attractive part of the work is in the real folklore of the Polar Eskimos especially in their fables and legends regarding animals, the heavenly bodies, traveling adventures and meetings with strange tribes. In this same class are to be included also the elaborate system of religious beliefs, the various effects of different acts on the doer and the preventive measures which are imposed on individuals. It is interesting to trace here ideas found among other primitive peoples, such as the idea of a flood, the ascent of the dead to become luminous heavenly bodies, the passage of souls to animals in certain cases, and the customs associated with childbirth. The book is not only a valuable contribution to the study of primitive folklore, but is at the same time highly interesting as a portrayal of Polar life.

The entire book is fascinating reading, and is superbly illustrated with colored prints and charming sketches, the work of Count Harald Moltke, who accompanied the author.

WALTER S. TOWER.

University of Pennsylvania.

Ray, P. Orman. *The Repeal of the Missouri Compromise.* Pp. 375. Price, \$3.50. Cleveland: Arthur H. Clark Company, 1909.

Frontier conditions and influences are fascinating phases of American history which have afforded explanations for many of the important developments of our national life. Professor Ray now uses them to correct what he believes to be a wrong interpretation both of the causes of the repeal of the Missouri Compromise and of the authorship of the bill. Historians have placed various interpretations upon the motives of Senator Douglas—the reputed author of the Kansas-Nebraska bill, but they have been almost unanimous in ascribing the authorship of the measure to him and holding that he believed it would be the means of placing him in the Presidency. Douglas himself was anxious to claim the credit. Professor Ray has gathered a surprising array of facts to show that the real cause was the peculiar conditions existing in Missouri politics in the decade 1844-54. The real originator of the measure he insists was the Senator from that state, David R. Atchison. He proves that the project was repeatedly

advocated by Atchison in speeches in Missouri and that Douglas introduced the bill only after it had been repeatedly urged upon him—that he became connected with the movement only at a very late period though he claimed to have advocated it for “eight long years.”

The book emphasizes two facts as to our writing of American history—that there are still important factors shaping our national legislation which have not been given their proper prominence—though this is less true of the frontier than of some other influences; and that state politics and sectionalism are influences which it is only too easy to overlook or underestimate.

The author has spared no effort to get together all the available material, and fortifies his statements with abundant footnote references to the authorities on which he relies. The latter part of the book presents the chief documents on the subject, a selected bibliography and an excellent index.

CHESTER LLOYD JONES.

University of Pennsylvania.

Schurz, Carl. *The Reminiscences Of.* 3 vols. Pp. xi, 1333. Price, \$6.00. New York: Doubleday, Page & Co., 1909.

Few men meet such varied and interesting experiences as were the fortune of Carl Schurz, and few men who attempt autobiography are masters of so pleasing a style. The three volumes in which the tale of this long life is told keep the attention of the reader as few novels do. The first treats the author's youth, the second the prime of life, the third, the period during which Mr. Schurz stood prominent as the leader of independents in national politics and as a political sage. The latter part of this volume was written by Mr. Frederick Bancroft and Prof. W. A. Dunning after Mr. Schurz's death. This portion covers the last three decades of the nineteenth century during which occurred the greater part of Mr. Schurz's political activity. The authors are to be complimented upon the sympathetic and thorough presentation of Mr. Schurz's public service but one cannot but regret that this, the most interesting period of his life, could not have been described by the great statesman himself.

Volume one is chiefly valuable to the American for its literary charm and the intimate touch it gives with a civilization now rapidly disappearing. The feudal relations of the German peasant classes with their lords, the simple home life and curious village customs are described with a detail and wealth of illustration which makes the book as vivid as a spoken narrative. Especially interesting are the descriptions of student days in the German universities and the thrilling times of the Revolution of 1848, connection with which caused the author's abrupt departure for America. With this portion of the first volume begins the real contribution which the volumes make to history. The student of the struggles for freer governments will find in these pages a fascinating picture of the trials of the leaders of a cause lost at that time, but the principles of which were to triumph a generation later.

The second volume covers the period from the arrival in New York in 1852 to the darkest period of the Civil War—the spring of 1863. During this time Mr. Schurz mastered the English language and won his way into the front rank in public affairs. He knew most of the great men of the time, and his criticisms of them presented here are always trenchant, independent and judicial. Douglas, Sumner, Chase, Lincoln, Grant, and a host of lesser men are passed in review. The life of the time, campaign incidents, the political issues and personal anecdotes enliven the story of the tense period when the storm of the rebellion was gathering. Interesting digressions treat such subjects as freedom of speech, party allegiance, the Dred Scott Decision, and the necessity of emancipation. The importance of the latter in its bearing on the relation of Europe to the war was first urged upon President Lincoln by Mr. Schurz.

The last volume covers the period from the Gettysburg campaign to Mr. Schurz's death. Only Mr. Schurz's war experience and his work in connection with reconstruction are presented by the author himself. The latter portion of the book, as already noted, is written by others aided by the papers of Mr. Schurz. No recent autobiography so fully deserves the attention of those interested in the development of our national life. The lives of few men furnish so adequate a picture of the times in which they lived.

CHESTER LLOYD JONES.

University of Pennsylvania.

Seligman, E. R. A. *Progressive Taxation in Theory and Practice.* Pp. 334. Price, \$1.25. Princeton, N. J.: American Economic Association, 1908.

The second edition of this work, which originally appeared some fourteen years ago, illustrates no new or startling principle of taxation, nor has the author's viewpoint changed with the added legislation and discussion of the subject. On the contrary, his assumption that the progressive principle is slowly, but surely, obtaining universal favor, finds support in the more recent modifications in the different taxing systems throughout the world. A careful and statistical study has been made of the principal countries as to the funds for revenue and the means employed for raising them—the analysis being confined to those cases where graduation, either progressive or digressive, existed, or where proportionality was the basis. Following this, the whole theory of progression is elaborated from several viewpoints—including the Socialistic, benefit and faculty theories. A classification of authorities upon the subject, relative to their attitude toward the different theories of progression not only brings out more clearly a fair conception of each argument advanced, but also serves to show the increasing investigation and discussion of what is now considered in many ways to be the most logical and equitable basis of taxation.

Of special interest to American readers is the application of the principle of progression to taxation within this country. The general property tax, income, inheritance and corporation taxes receive consideration as

popular sources of revenue for which progression might be used to advantage and in each case the arguments are weighed in the light of existing administrative conditions. Though a prophecy is ventured as to the future scheme of national taxation, based on a clearer understanding of local, state and federal revenues, yet hardly more than a hope is expressed that the progressive tax, though ideal from the standpoint of ability, will in the near future be embodied in the American financial system mainly on account of the difficulties of general and uniform application. In other words, though public opinion tends to favor progression, justice in individual cases still demands proportionality.

C. LINN SEILER.

University of Pennsylvania.

Shaw, Charles S. *The Precinct of Religion in the Culture of Humanity.* Pp. xiii, 279. Price, \$2.00. New York: Macmillan Company, 1908.

With a strong bias for the subject—the Philosophy of Religion—the writer of this slight notice is constrained to utter a protest against the many polysyllabled words, the long disquisitions which seem to lead nowhere, the arguments which fall short of the mark and prove nothing. This is the more to be regretted, as in many parts of the book, notably the latter part, the reasoning is forcible and well sustained, the thought well brought out, the statements clearly put, and instead of a woeful waste of words, the phrases are clean-cut, almost epigrammatic in their terseness.

The author is of the opinion, that though religion is as old as man, as a philosophy it dates no further back than the enlightenment, the aufklärung of the eighteenth century. Much is said of the co-ordination and interdependence of Religion and History. At times, one is almost led to believe that the author is influenced by the Ritschlian theology, as for instance, "Religion is not a mystery to be explained by theology, but is rather a product of the human soul, and such as can be apprehended directly in introspection." But, a few pages further on we read, "Zeal for moralism must not confuse our minds, so that we shall be led to say, religion is simple, ethical activity; nor must a contrary spirit betray us into thinking that religion is mere passivity. Religion is neither energism nor quiescence, but a carefully directed form of doing. . . . Viewed both phenomenally and ideally, religion is related to the conduct of life."

It is to be noted that there is no confusion of ideas, no metaphysical subtlety involved whenever religion is considered as a direct issue in life, or in the culture of humanity.

MARY LLOYD.

Philadelphia.

The Social Application of Religion. Pp. 139. Price, \$1.00. Cincinnati: Jennings & Graham, 1908.

These lectures were delivered by Charles Stelzle, Jane Addams, Charles P. Neill, Graham Taylor and George P. Eckman. The names of the lecturers

constitute a sufficient guarantee of the quality of the addresses, which make up a rather unusually interesting series. The perpetual freshness of Miss Addams' contact with life is seen again in her lecture on "Woman's Conscience and Social Amelioration," in which she shows how women are being forced willy-nilly into participation in the larger social struggle. Commissioner Neill's address on "Some Ethical Aspects of the Labor Movement" displays a rare grasp of the economic forces and the ethical principles underlying the movement he discusses. It might be read with profit by both friends and critics of unionism. While the book as a whole has the merits and defects of such compilations, the lectures are worth preserving in this permanent form.

HENRY RAYMOND MUSSEY.

University of Pennsylvania.

Steiner, Edward A. *Tolstoy—The Man and His Message.* Pp. 353. Price, \$1.50. New York: Fleming H. Revell Company, 1908.

The author has seen and knows Tolstoy and those who read his book see and know him also. He is described not as the old, decrepit man, but as the real Tolstoy, living in the thought of the world, and in the hearts of his friends and followers. The book is a very sympathetic interpretation, from an American viewpoint of the great Russian prophet of social progress. Accepting the general American attitude, Mr. Steiner takes issue with Tolstoy's work because he has not been more practical. His reforms, says Mr. Steiner, have consisted in theoretical discussions and dissertations. Only once in all his life did he help directly to alleviate the conditions which he so deploras, and that was in the case of a famine when he journeyed from village to village, in the depths of winter, and organized relief societies which saved thousands from starvation. This work, the author thinks, should have occupied more of Tolstoy's life. He should have done less talking and thinking and more acting.

In this contention, the author undoubtedly voices modern American opinion. Thought and discussion do not, as a rule, form a part of the American's philosophy of life. He must act, and secure quick and decisive results, and this attitude is well shown in Mr. Steiner's criticism of the Russian thinker.

The book is well worked out, clearly written and gives one a distinct picture of Tolstoy, the thinker. While the criticisms of Tolstoy show a decided American bias, they are, on the whole, able and fair.

SCOTT NEARING.

University of Pennsylvania.

Taylor, Hannis. *The Science of Jurisprudence.* Pp. lxxv, 676. Price, \$3.50. New York: Macmillan Company, 1908.

This book is devoted not, as its title might indicate, to an analysis and correlation of the fundamental legal concepts, but to a broad survey of the chief

characteristics of the two important systems of law which the world has developed. The central fact about which the argument is built is that at present a gradual growth in law is in process which tends toward the adaptation of the best features of the English and Roman law. This development is to furnish the basis for a true science of jurisprudence.

Roman law through its wide adoption as the basis of private law bids fair to monopolize that field. From Western Europe it has spread to the Portuguese, French, Spanish, Dutch and German colonies. More or less closely connected with it are the private law systems of Russia, Scandinavia and Japan. Even in English speaking countries Roman private law has been adopted to a great extent. Roman law materials are found in the equitable, canonical, admiralty and commercial branches to an extent only recently realized.

No less significant is the spread of the English system in the field of public law. This has been especially marked since the French Revolution. The English model reappears in the United States. Thence it has passed to Latin America. The English system of public law was made adaptable to world-wide conditions, the author holds, by the change made in the Constitution of the United States. Credit for this invention is given to Pelatiah Webster. The author lays claim to being the first to do justice to the claims of this man who "gave to the world as his personal contribution to the science of government the 'wholly novel theory' of Federal government" as adopted in the United States. It is perhaps needless to say that the claims Mr. Taylor makes for himself and for Pelatiah Webster many historians would not allow to pass unchallenged. Due to the invention of the federal type of government now in use in the United States, "everything now points to the conclusion that out of a combination of English public law as the outer shell with Roman private law as the interior code is to arise the typical state law system of the future."

Two-thirds of the book are devoted to an historical review of the external history of the Roman and English law systems. Special emphasis is placed on the phases which illustrate the supremacy of each system in its separate field. The most suggestive chapters discuss English law in the United States and the combination of English and Roman law. The last third, Part II, is analytical. The nature of law properly so called is discussed, a chapter is given to the consideration of rules to prevent conflict of laws and one to International law. The author chiefly follows the Austinian definition of law and therefore decides that International law is law only by analogy.

The chief value of this book lies in the first portion. In it Dr. Taylor has given us a clear survey of the legal systems of greatest importance in the world's history. He is able to marshal facts which amply justify his opening generalizations.

CHESTER LLOYD JONES.

University of Pennsylvania.

Wallas, Graham. *Human Nature in Politics.* Pp. xvi, 302. Price, 6s. London: A. Constable & Co., Ltd., 1908.

This book is an attempt to connect psychology with the questions of practical politics in much the same way that it is being connected with business, with judicial procedure, and, in short, with all of the intricate affairs of human experience by such authors as Münsterberg, Scott, Angel and others. The keynote of the book is perhaps best expressed by a paragraph in which exception is taken to an observation occurring in Mr. Bryce's preface to Ostrogorski's "Democracy and the Organization of Political Parties."

"In the ideal democracy," says Mr. Bryce, "every citizen is intelligent, patriotic, disinterested. His sole wish is to discover the right side in each contested issue and to fix upon the best man among competing candidates. His common sense, aided by a knowledge of the constitution of his country, enables him to judge wisely between the arguments submitted to him, while his own zeal is sufficient to carry him to the polling booth." What, says Mr. Wallas, "does Mr. Bryce mean by 'ideal democracy.' If it means anything, it means the best form of democracy which is consistent with the facts of human nature. But one feels on reading the whole passage that Mr. Bryce means by those words the kind of democracy which might be possible if human nature was as he himself would like it to be and as he was taught at Oxford to think it was. If so, the passage is a good instance of the effect of our traditional course of study in politics. No doctor would begin a medicinal treatise by saying, 'The ideal man requires no food, and is impervious to the action of bacteria, but this ideal is far removed from the actualities of any known population.' No modern treatise on pedagogy begins with the statement that the ideal boy knows things without being taught them and his sole wish is the advancement of science, but no boys at all like this have ever existed." (Pp. 126, 127.)

By an abundance of quotation and criticism, Mr. Wallas tries to point out that progress in political reasoning can only be made by dealing with men and situations as they are rather than as perhaps they ought to be. On the whole, his thesis is well worked out, and, considering the mass of details and variety of side lights which he attempts to throw upon his subject, his matter is effectively presented. In one or two places, however, the use of terminology is not as clear as might be desired. For instance, his exposition of "quantitative" over against "qualitative" reasoning, while in the opinion of the reviewer absolutely logical, gives the effect of pedantry in its presentation (143 ff.).

The second part of the book entitled "Possibilities of Progress," includes four chapters, "Political Morality," "Representative Government," "Official Thought," and "Nationality and Humanity." They are wholesome in their reasonable optimism.

WILLARD E. HOTCHKISS.

Northwestern University,

Westermarck, Edward. *The Origin and Development of the Moral Ideas.*
Volume II. Pp. xv, 852. Price, \$3.50. New York: Macmillan Company,
1908.

The publication of the second volume marks the completion of another monumental piece of work by Professor Westermarck. The fact that the list of authorities quoted in the two volumes covers seventy-eight closely-printed pages shows the range of his researches. Freely using quotations, which are not garbled extracts, but are fairly representative of the ideas of the various writers Dr. Westermarck weaves them into a readable and generally convincing whole.

The main topics of discussion in this volume are "Rights of Property," "Regard for Truth and Good Faith," "The Development of the Altruistic Sentiments," "Suicide," "Duties towards Self," "Restriction in Diet," "Asceticism," "Marriage," "Relation of the Sexes," "Regard for Lower Animals," "Regard for the Dead," "Cannibalism," "Duties towards Gods," "The Gods as Guardians of Morality."

The reviewer cannot discuss so many subjects. At best he can but indicate the author's standpoint. One naturally turns to the chapter on marriage to see the effect of the criticisms of the author's "History of Human Marriage." He still holds that it is "by close living together that prohibitory laws against intermarriage are determined. I am inclined to think that consanguinous marriages are in some way detrimental to the species." The sentiment against intermarriage of blood kin did not always exist among the ancestors of man so must have arisen—as a result of natural selection—Dr. Westermarck suggests, though his thought is hazy. He discusses the objection raised, but concludes, "I find no reason to alter my opinion."

In the final chapter is given a general survey of the study. The moral sentiments are not the emotions of an individual, but are born in society. Pain and pleasure, the starting points, give rise to the retributive emotions. Sympathy tends to produce disinterested retributive emotions. As public standards grow "these public emotions are characterized by generality, individual disinterestedness and apparent impartiality. Moral judgments are passed on conduct or character and only ignorance or lack of reflection permits the judgment to be warped by events or conditions independent of the agents' will.

"The general uniformity of human nature accounts for the great similarities which characterize the moral ideas of mankind." Differences are due largely to environment. The chief difference between standards of savage and civilized peoples is in the larger social unit of the latter. Intelligent reflection plays an even larger part. We discriminate more carefully as regard motives, negligence, etc. Religion and superstition have everywhere been very powerful. They have caused many variations—been productive of evil as well as good. Primitive man knew more of magic than of religion. Religion seems to reach its zenith at a middle stage of culture. The author believes that the altruistic sentiment will expand; that the influence of reflection on moral judgment will increase; that senti-

mental likes and dislikes will diminish; that religion will have more to do with moral rules and less with special duties to the Deity.

So far as the reviewer knows this is the most exhaustive comparative study of human morals ever made. The personal conclusions of the author may be wrong or right. He has rendered social students a tremendous service. The average man knows nothing of systems of morals other than his own—or at least despises all others. So much the worse for him. Professor Westermarck gives us a broader view.

CARL KELSEY.

University of Pennsylvania.

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CONTENTS

PART I

THE ARGUMENT IN FAVOR OF ORIENTAL EXCLUSION

	PAGE
CHINESE AND JAPANESE IMMIGRANTS—A COMPARISON.....	3
Chester H. Rowell, Editor "Fresno Republican," Fresno, Cal.	
THE SUPPORT OF THE ANTI-ORIENTAL MOVEMENT.....	11
John P. Young, Editor San Francisco "Chronicle"	
OPPOSITION TO ORIENTAL IMMIGRATION.....	19
Walter Macarthur, Editor "Coast Seamen's Journal," San Francisco, Cal.	
ORIENTAL VS. AMERICAN LABOR.....	27
A. E. Yoell, Secretary Asiatic Exclusion League of North America, San Francisco, Cal.	
MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING ORIENTAL IMMIGRATION.....	37
Hon. Albert G. Burnett, Associate Justice, District Court of Appeals, Third Appellate District, Sacramento, Cal.	
THE JAPANESE PROBLEM IN CALIFORNIA.....	42
Sidney G. P. Coryn, Of "The Argonaut," San Francisco, Cal.	
A WESTERN VIEW OF THE RACE QUESTION.....	49
Hon. Francis G. Newlands, United States Senator from Nevada.	

PART II

THE ARGUMENT AGAINST ORIENTAL EXCLUSION

UN-AMERICAN CHARACTER OF RACE LEGISLATION.....	55
Max J. Kohler, A.M., LL.B., Formerly Assistant United States District Attorney, New York.	
REASONS FOR ENCOURAGING JAPANESE IMMIGRATION.....	74
John P. Irish, Naval Officer of Customs for the Port of San Francisco, Cal.	

	PAGE
MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING ORIENTAL IMMIGRATION.....	80
Rev. Thomas L. Elliot, S.T.D., President, Board of Trustees of Reed Institute, Portland Ore.	
WHY OREGON HAS NOT HAD AN ORIENTAL PROBLEM.....	86
F. G. Young, Professor of Economics and Sociology, University of Oregon, Eugene, Ore.	

PART III

NATIONAL AND INTERNATIONAL ASPECTS OF THE EXCLUSION MOVEMENT

THE TREATY POWER: PROTECTION OF TREATY RIGHTS BY FEDERAL GOVERNMENT	93
William Draper Lewis, Ph.D., Dean of the Law School, Univer- sity of Pennsylvania, Philadelphia.	
THE PROBLEM OF ORIENTAL IMMIGRATION IN THE STATE OF WASHINGTON	109
Herbert H. Gowen, F.R.G.S., Lecturer on Oriental Literature, University of Washington, Seattle, Wash.	
THE EFFECT OF AMERICAN RESIDENCE ON JAPANESE.....	118
Baron Kentaro Kaneko, Tokio, Japan.	
CHINESE LABOR COMPETITION ON THE PACIFIC COAST.....	120
Mary Roberts Coolidge, Formerly Associate Professor of Sociology, Stanford University, Cal.; Author of "Chinese Immigration" (in press).	
THE LEGISLATIVE HISTORY OF EXCLUSION LEGISLATION...	131
Chester Lloyd Jones, Ph.D., Instructor in Political Science, University of Pennsylvania, Philadelphia.	
HOW CAN WE ENFORCE OUR EXCLUSION LAWS?.....	140
Marcus Braun, Immigrant Inspector, Department of Commerce and Labor, Washington, D. C.	
ENFORCEMENT OF THE CHINESE EXCLUSION LAW.....	143
James Bronson Reynolds, New York.	

PART IV

THE PROBLEM OF ORIENTAL IMMIGRATION
OUTSIDE OF AMERICA

	PAGE
SOURCES AND CAUSES OF JAPANESE EMIGRATION.....	157
Yosaburo Yoshida, University of Wisconsin, Madison, Wis.	
ORIENTAL IMMIGRATION INTO THE PHILIPPINES.....	168
Russell McCulloch Story, A.M., Harvard University, Cambridge, Mass.	
ORIENTAL LABOR IN SOUTH AFRICA.....	175
L. E. Neame, Johannesburg, South Africa; Author of "The Asiatic Danger in the Colonies."	
JAPANESE IMMIGRATION INTO KOREA	183
Thomas F. Millard, New York City; Author of "The New Far East" and "America and the Far Eastern Question."	
THE EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA....	190
Philip S. Eldershaw, B.A., and P. P. Olden, University Law School, Sydney, New South Wales.	
<hr/>	
BOOK DEPARTMENT	205

BOOK DEPARTMENT

CONDUCTED BY FRANK D. WATSON

Notes pp. 205-212.

REVIEWS

- COOLEY—*Social Organization* (p. 212)C. Kelsey
DAWSON—*The Evolution of Modern Germany* (p. 214).....C. L. Jones
DEVINE—*Misery and Its Causes* (p. 215).....F. D. Watson
HASBACH—*A History of the English Agricultural Labourer*
(p. 216)H. C. Taylor
LECKY—*Historical and Political Essays* (p. 216)W. E. Lingelbach
McDOUGALL—*An Introduction to Social Psychology* (p. 218)....E. A. Ross
WILLIAMS—*A Valid Christianity for To-day* (p. 218)S. E. Rupp
-

LIST OF CONTINENTAL AGENTS

- FRANCE: L. Larose, Rue Soufflot 22, Paris
GERMANY: Mayer & Müller, 2 Prinz Louis Ferdinandstrasse, Berlin, N. W.
ITALY: Direzione del Giornale degli Economisti, via Monte Savello,
Palazzo Orsini, Rome.
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PART ONE

*The Argument in Favor of Oriental
Exclusion*

CHINESE AND JAPANESE IMMIGRANTS—A COMPARISON

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THE SUPPORT OF THE ANTI-ORIENTAL MOVEMENT

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OPPOSITION TO ORIENTAL IMMIGRATION

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ORIENTAL VERSUS AMERICAN LABOR

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MISUNDERSTANDING OF EASTERN AND WESTERN STATES
REGARDING ORIENTAL IMMIGRATION

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THE JAPANESE PROBLEM IN CALIFORNIA

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A WESTERN VIEW OF THE RACE QUESTION

BY HON. FRANCIS G. NEWLANDS,

UNITED STATES SENATOR FROM NEVADA

CHINESE AND JAPANESE IMMIGRANTS— A COMPARISON

BY CHESTER H. ROWELL,
Editor "Fresno Republican," Fresno, Cal.

If an off-hand comment on the more obvious facts of Chinese and Japanese immigration as they strike the average Californian is considered a sufficient response to the request of the editor of THE ANNALS for an article on this subject, it must be because precisely this off-hand view is one of the essential factors in any race problem.

It must always be remembered that the white American's standard of judging strange peoples is personal and unobjective. The average southern white man, for instance, is most favorably disposed toward a type of Negro objectively inferior,—the type, namely, which best fits the inferior status which the white man prefers the black man to occupy. In a part of California very familiar to the writer, there is a large Armenian and a large Russian immigration. The Armenian, who is generally a superior person, is unpopular because his success is for himself, in his own business. The Russian peasant, who is often an inferior person, is popular because his labor is useful to us, in our business. The same standard of judgment is applied to the Chinese and Japanese. Pinned down to an objective judgment of the races as such, the Californian would doubtless place the Japanese in the higher rank. He judges the Chinese by their coolie class, and regards them as an inferior race. But it is almost impossible to get the Californian to look at the question thus objectively. Ask the question, "Which race is superior?" and you get the subjective answer, "I find the Chinese more useful to me, in my business." Also, the American business man insists on judging men by business standards. The Chinese virtues are business virtues and the Japanese faults are business faults. Therefore, the Chinese are judged by their virtues and the Japanese by their faults.

Taking for the moment this biased viewpoint, we find the Chinese fitting much better than the Japanese into the status which the

white American prefers them both to occupy—that of biped domestic animals in the white man's service. The Chinese coolie is the ideal industrial machine, the perfect human ox. He will transform less food into more work, with less administrative friction, than any other creature. Even now, when the scarcity of Chinese labor and the consequent rise in wages have eliminated the question of cheapness, the Chinese have still the advantage over all other servile labor in convenience and efficiency. They are patient, docile, industrious, and above all "honest" in the business sense that they keep their contracts. Also, they cost nothing but money. Any other sort of labor costs human effort and worry, in addition to the money. But Chinese labor can be bought like any other commodity, at so much a dozen or a hundred. The Chinese contractor delivers the agreed number of men, at the agreed time and place, for the agreed price, and if any one should drop out he finds another in his place. The men board and lodge themselves, and when the work is done they disappear from the employer's ken until again needed. The entire transaction consists in paying the Chinese contractor an agreed number of dollars for an agreed result. This elimination of the human element reduces the labor problem to something the employer can understand. The Chinese labor-machine, from his standpoint, is perfect.

But there are, of course, the additional standpoints of the merchant and the white laboring man. To the merchant the chief function of humanity is to "keep the money at home" and in circulation. The Chinaman spends his money with his own merchants, for Chinese goods, or sends it back to China directly. Therefore he is not a mercantile asset. In the old days, when the Chinese were sufficiently numerous and cheap to be real competitors, there was of course a violent labor-union opposition to them, most of which is now diverted to the Japanese, as the more immediate menace.

But all this is academic and historical. The Chinese are a disappearing problem. Most of those still remaining in America are old men. The few born in this country, and the more numerous ones smuggled in, are only a handful, and there are not now in California enough Chinese to do more than a small part of the servile labor which our transitional industrial condition could absorb. So long as California undertakes to do intensive farming on large estates, with a small population, so long will there be a demand for

much more farm labor, at certain seasons, than the local industries can support or the local population absorb during the remainder of the year. Fortunately, there is a harvest of some sort going on in some part of California almost every month in the year, so that it is only necessary to organize the migration of this temporary labor to keep it continuously occupied. The problem of meeting this condition with organized white labor is difficult and has not yet been solved. Meantime, the Chinese have met ideally the requirements of the employing white farmer. But there are not enough of them left, and in their search for a substitute the farmers have turned to the Japanese.

The Japanese are a very different people. As laborers they are less patient but quicker and brighter than the Chinese. In certain industries, particularly the thinning of sugar beets and the picking of raisin grapes, their short legs and ability to squat make them the most efficient workers in existence. A white man's efficiency is reduced very greatly when he has to squat. A Japanese can do as much work squatting as standing. Under the stimulus of "piece work," the Japanese work rapidly, but not carefully.

These differences, however, are minor. The one overshadowing contrast is this: The Chinese will keep a contract; the Japanese will not. Chinese business, like American business, is based on the assumption of the inviolability of contracts. Therefore the American and the Chinese can understand each other, on this point. But the Japanese seems to have no comprehension of the contract as a fundamental obligation, while the American cannot understand how a man can have any virtue who lacks this one. The Japanese contractor buys the fruit on the trees, as the Chinese used to do. The price goes down, and he refuses to understand how he could be bound by an agreement which has now ceased to be profitable. Japanese grape-pickers agree to pick a crop at a certain price. When the work is half done, there comes a chance to get a higher price elsewhere and they all decamp. There comes a sudden threat of rain in the drying season, and the trays must be "stacked" at once or the crop will be irreparably damaged. Instantly the cost of Japanese labor rises to blackmail prices, regardless of previous contracts. Of course there is such recourse as the law gives, but that is very little on a labor contract, and, generally, no legal obligation is worth much in business unless it is recognized also as a moral obligation. The Japanese does not recognize a contract as a moral

obligation, and the American therefore assumes that he has no sense of any moral obligation. In an industrial system based on contract the Japanese must acquire a new sort of conscience, or he will remain an industrial misfit.

This of course is only the narrowly industrial view, chiefly that of the employing farmer. Socially, it is necessary to consider both the actual condition produced by the presence of Chinese and Japanese in moderate numbers, and the possible condition which would result if the bars were thrown down to the free immigration of either.

The Chinese live both by preference and by compulsion in "Chinatown," where they conduct their own affairs, independently of our laws and government, much as they do in China.

Adjoining Chinatown is usually the "tenderloin," and the whole district is the plague-spot of a California city. There is no law in Chinatown. The slave traffic is open and notorious, and slave pens, with bought slave girls peering through the barred windows, are a familiar sight. The most respected occupations of the leading Chinese citizens are gambling and lottery. As the laboring Chinese have become fewer, older and poorer, the games have turned to white men and Japanese for their victims. The Japanese rarely run gambling houses, but they are the chief frequenters of them, and lose much money. Chinese lotteries hold drawings twice a day, and tickets can be bought as cheaply as ten cents. Sometimes one small city will support a dozen lotteries. The tickets are peddled secretly, by the Chinese and by white cigar dealers and others, to American men and boys. In Chinatown the opium den or "hop joint" flourishes, and the opium-smoking white men who infest Chinatown are the dregs of creation. The governing bodies of Chinatown are the rival companies or "tongs," which enforce their decrees and settle their feuds by murder. There is a caste of professional hired murderers, or "highbinders," who are the executive arm of this peculiar government. The writer has seen the bodies of dead highbinders, after a tong war, stripped of actual chain armor, knife-proof and hatchet-proof. Chinese are sometimes convicted of murder, but there is never any telling whether you have convicted the right man. The Chinese whose word in a business obligation would be as good as a government bond, will perjure himself unblushingly on the witness stand. The jury-box estimate of Chinese testimony is that no Chinaman can be believed under oath. Chinese gambling

joints are actual fortresses, with steel doors, sentries, and a labyrinth of secret exits. They are an open, fortified defiance of law, and are a source of almost universal police graft. An honest "Chinatown squad" is an iridescent dream. Sanitary conditions are unspeakable and sanitary regulations are unenforceable. Religion is represented by joss houses, where the coolie worshipper seeks which god will most cheaply grant his prayer for a winning lottery ticket.

There are decent men in Chinatown, but no moral leaders, and no civic sentiment, to enforce any moral obligations but business ones. These are absolute, and every Chinese pays all his debts by the time of the annual New Year festivities. Superstition is universal and gross, and the numerous devils are the only power feared, except the tongs. Dead men are greatly honored, but a dying man is thrust into the dead-house to starve, supplied with opium, but with nothing else. Chinese clothing, food, customs and standards are universal, and a Californian Chinatown is simply a miniature section of Canton, transported bodily. The Chinese are not part of American life, and conform to American standards only in the single respect of recognizing the obligation of a business contract.

The Japanese in the beginning congregate on the borders of Chinatown, but they build better and cleaner houses and admit some air to them. They adopt American clothing at once, and American customs very rapidly. As they grow in numbers and prosperity, they provide themselves with recreation—good and bad. They go to the Chinese gambling houses and to the Buddhist temples and Christian missions. Pool and billiard rooms, with their good and bad points, are liberally patronized. The general aspect of life is cheerful and attractive, and the Japanese themselves, from the highest to the lowest, are a delightfully polite and genial people. Even the "cockyness" that has followed the Russian war has not obliterated their personal likableness. In every relation but a business one they are charming. They develop a civic sense, public spirit, and moral leadership. When the Chinese gambling joints debauch the Japanese young men, the Buddhist priest, the Christian missionary and the president of the Japanese Reform Association call on the mayor to protest. But when asked whether the Japanese houses of prostitution should not be suppressed also, they shake their heads. Prostitution is a most characteristic Japanese industry,

and there appears to be no moral sentiment against it. The women themselves are under less social ostracism than the women of corresponding class of other races, and they appear also to be less personally degraded. You see no obscene pictures and no flaunting of vulgarity in a Japanese house of prostitution. In some places, these facts are giving the Japanese an approximate monopoly of this evil.

But the Japanese do not confine themselves to "Japtown," nor permit the white man to determine the limits of their residence. They buy up town and country property, and wherever they settle the white man moves out. In Sacramento they have completely occupied what was formerly one of the best business districts. The process is simple. A Japanese buys a fine corner location, paying for it whatever price he must. Then he gets all the rest of the block very cheaply, for the white owners and tenants will not stay. In the country, wherever the Japanese rent or buy land in any quantities, white men evacuate. The Vaca Valley, one of the richest and most beautiful spots in California, is the most notable example. Similiar beginnings have been made elsewhere. In business they do not confine themselves to their own people. In Fowler, California, for instance, one of the leading department stores, doing a general business with Americans, is owned by Sumida Bros. In San Francisco there is a Japanese daily newspaper, with a modern plant and a large circulation and business. It was the first newspaper in San Francisco to resume publication with its own building and plant after the fire.

The Japanese are energetic, versatile and adaptable. Many of them attend the high schools and universities, to secure a first-class American education. These students frequently work, after hours, as house servants in American families, partly to support themselves and partly to supplement their American academic education with an American domestic education. As servants they are intelligent, accommodating, competent and unstable. As in everything else, their one weakness is their failure to recognize the obligation of a contract. They will leave, without notice or consideration, on the slightest provocation. Chinese servants, such of them as there are left, are more generally professional servants, who make the work a permanent business, and expect high wages.

Magnify these conditions indefinitely, and it is not hard to foresee the result of any general admission of immigrants of either

race. Chinese will not assimilate with American life, and Americans refuse to assimilate with Japanese. The great danger of the "yellow peril" is its enormous size. With less than two million white men in California, and more than four hundred million Chinese in China, just across the way, the very smallest overflow from that limitless reservoir would swamp our Pacific Coast. If it is impossible for two million white men, in an American state, to enforce American laws on a dwindling few thousand Chinese, American institutions would be simply obliterated by any considerable influx of Chinese. A very few years of unrestricted Chinese immigration would leave California, American only in the sense in which Hongkong is English. Fortunately, on this question, American policy is fixed, and is for the present in our hands. China is powerless to protest, whether we deal justly or unjustly, and the dwindling remnant of Chinese present few occasions for personal or diplomatic friction. The Chinese problem is easy, so long as our present policy continues. Under any other policy, it would straightway overwhelm us. No possible immediate industrial demand could justify letting down the bars to Chinese immigration in even the slightest degree. Those industries which cannot be developed and those resources which cannot be exploited without Chinese labor must simply be left undeveloped and unexploited—unless we are willing to sacrifice American civilization permanently to industrial exploitation temporarily, on the whole Pacific Coast.

The Chinese problem is approaching its end, unless we reopen it. The Japanese problem is only beginning, and the end is not wholly within our control. For the present, there are no more Japanese in the country than we can safely utilize, and the number, under the restrictive policy of Japan, appears to be decreasing. This is excellent, so long as it lasts. But it can last, in peace and amity, only so long as Japan wills, and Japanese sensitiveness constantly tends to magnify the smallest provocations into international issues. Industrially, we can utilize some Japanese, but internationally we cannot guarantee even one Japanese against the possible chances of American hoodlumism. With the issue, not probably of peace (for war is the remotest of contingencies), but of amity in the hands of any rowdy boy who chooses to smash a Japanese window, the present Japanese exclusion arrangement is in the unstablest equilibrium. A momentary wave of demagoguery, in

Japanese politics, a chance street fight in the San Francisco slums, and the whole agreement might be jeopardized. Then we should be forced to the alternative of Japanese exclusion by our own initiative, with all its difficulties and possibilities of complication.

But let no American who realizes what it would mean to the South to turn back the wheels of history and decree that there should never have been a race problem there, consider for a moment the possibility of importing another and harder one on our Pacific Coast. There is no right way to solve a race problem except to stop it before it begins. Every possible solution of the Negro problem is a wrong one, but we can at least let each generation determine which wrong it will commit, and take the consequences, with respect to that permanently impossible problem. No such possibility opens with respect to a race problem where the other race would determine its own view of its own rights, and be backed by a powerful and jealous nation in maintaining them. The Pacific Coast is the frontier of the white man's world, the culmination of the westward migration which is the white man's whole history. It will remain the frontier so long as we guard it as such; no longer. Unless it is maintained there, there is no other line at which it can be maintained without more effort than American government and American civilization are able to sustain. The multitudes of Asia are already awake, after their long sleep, as the multitudes of Europe were when our present flood of continental immigration began. We know what could happen, on the Asiatic side, by what did happen and is happening on the European side. On that side we have survived, and such of the immigration as we have not assimilated for the present we know is assimilable in the future. But against Asiatic immigration we could not survive. The numbers who would come would be greater than we could encyst, and the races who would come are those which we could never absorb. The permanence not merely of American civilization, but of the white race on this continent, depends on our not doing, on the Pacific side, what we have done on the Atlantic Coast. For the present, the situation as to both Chinese and Japanese immigration is satisfactory. But to relax the present policy, even for a brief interval, would be to load ourselves with a burden which all eternity could not again throw off and all our vitality could not withstand. There is no other possible national menace at all to be compared with this.

THE SUPPORT OF THE ANTI-ORIENTAL MOVEMENT

BY JOHN P. YOUNG,
Editor San Francisco "Chronicle."

It is occasionally necessary to remind the people of the American Union who live on the eastern side of the Rocky Mountains that they have the bad habit of forming hasty judgments concerning matters with which they are not particularly familiar. They have done so repeatedly in cases in which they might have fairly deferred to the experience of the Far West. A notable instance was the attitude of the East on the subject of Chinese immigration. At first the sentiment of the older section of the Union was averse to any restriction being placed on the importation or immigration of Chinese laborers; but in the end, after extended investigations, Congress decided that expediency and justice demanded that the unassimilable Oriental be excluded.

A brief reference to the agitation which finally resulted in the passage of what is known as the Chinese exclusion act will help the reader to divest himself of the opinion prevalent in the Eastern States that the objection to Oriental immigration is due to the machinations of the labor unions on the Pacific Coast and does not represent the sentiment or wishes of the people at large. This assertion was freely made during the period when exclusion was being discussed by Congress. It was based on assertions made by a small number of interested persons, who believed that the interests of California would be best subserved by maintaining intact the large individual holdings of land which could only be profitably worked by cheap and docile laborers, such as experience had taught them the Chinese would be if they could be brought into the country in sufficiently large numbers, or by the small contingent which thought that a servile class was needed to make life endurable.

So confused was the evidence regarding the desirability of excluding the Chinese that as early as July 27, 1868, Congress passed a joint resolution directing a thorough investigation of the subject. A Congressional committee visited the Pacific Coast and made exhaustive inquiries and subsequently made a report which while in.

the main favoring the contention of those urging exclusion did not produce any affirmative legislation until 1879, when Congress passed an act excluding Chinese laborers, which was vetoed by President Hayes.

How largely he was influenced to take this adverse course by the mistaken belief of Eastern people that the opposition to Chinese immigration came wholly from the followers of Dennis Kearney it would be difficult to say, but it is a fact that the opinion was generally entertained at the East that the demand was the result of the Sand Lot agitation, and that there was no unanimity of sentiment in favor of putting up the bars. This belief was fostered by the publication of articles in the Eastern press asserting that the development of California was absolutely dependent upon Chinese labor, and that without an abundant supply of it there would be an end to the progress of the state.

To put an end to this false impression the Legislature of California directed that a test vote should be taken at a general election. In conformity with this resolution, at an election held on September 3, 1879, the voters of California cast their ballots "For" and "Against Chinese Immigration." The result was that in a poll of a little over 162,000 votes, 161,405 were "against" and only 638 "for" Chinese immigration. As the ballot was absolutely secret this overwhelming vote "Against Chinese Immigration" showed that the people of California were practically a unit in favor of exclusion. The evidence was so conclusive that further resistance on the part of the East ceased and in 1882 an act was passed suspending Chinese immigration for ten years. This was subsequently amended, making the exclusion of the Chinese laboring class perpetual.

The recital of these facts ought to warn the Eastern critics of the anti-Japanese immigration movement on this coast that they may be in error in assuming that the attitude of the Pacific Coast on the subject has been inspired by labor agitators, and that the demand for exclusion does not represent the sentiment of all classes in California and of the other states on the Pacific Coast. As a matter of fact, such an assumption is wholly erroneous. The movement did not have its origin in labor circles. As will be shown, the labor leaders had to be taught that they were confronted with a graver menace than that which the Chinese exclusion law averted. They did not take up the matter actively until the legislature had unani-

mously adopted a resolution memorializing Congress on the subject and asking that body to adopt laws to stem the threatened flood of Japanese coolies.

The first warning note came from the San Francisco "Chronicle." On February 23, 1905, that journal began the publication of a series of articles the scope of which was stated in the introduction to the opening paper of the series which was prepared by a writer after an extended inquiry which covered the ground fully, embracing every phase of the question subsequently discussed. These were the words used:

In the accompanying article the "Chronicle" begins a careful and conservative exposition of the problem which is no longer to be ignored—the Japanese question. It has been but slightly touched upon heretofore; now it is pressing upon California and upon the entire United States as heavily and contains as much of a menace as the matter of Chinese immigration ever did, if, indeed, it is not more serious, socially, industrially and from an international standpoint. It demands consideration. This article shows that since 1880, when the census noted a Japanese population in California of only eighty-six, not less than 35,000 of the little brown men have come to the state and remained here. At the present day the number of Japanese in the United States is very conservatively estimated at 100,000. Immigration is increasing steadily, and, as in the case of the Chinese, it is the worst she has that Japan sends to us. The Japanese is no more assimilable than the Chinese and he is not less adaptable in learning quickly how to do the white man's work, and how to get the job for himself by offering his labor for less than a white man can live on.

In entering upon this crusade the "Chronicle" did not do so without deliberation. Nine years earlier the writer of this article had prepared for the "Chronicle" a monograph on the subject of Japanese competition, in gathering data for which he had become deeply impressed with the capabilities of the people of the island empire and took the liberty of presenting their claims to be considered seriously. At that time the people of the East had not overcome the habit of regarding the Japanese in the light in which they were presented in Gilbert and Sullivan's opera of "The Mikado," but to the author the facts presented themselves differently and he remarked:

It would be a gross blunder to class a people as barbarous who had reached such an artistic and industrial development as that attained by the Japanese. It is unwise to underrate the qualities of a competitor. . . . The

Western invader did not find a semi-civilized people in Japan; he merely found a civilization differing from his own, and with the customary contemptuousness of a conquerer he underrated it.

The monograph sketched the progress made in the various industrial arts and the writer unhesitatingly predicted that Japan would become a formidable rival of Western manufacturing nations. It attracted the attention of a United States Senator, who found something in its argument to support a contention he was making at the time and he caused it to be printed as a Senate document. Curiously enough, the chief facts and the predictions concerning the development of the Japanese manufacturing industry were ignored, while a mere side issue, that relating to the advantages possessed by Japan while on a silver basis, was animadverted upon and disputed. At the time Britons and Americans were so engrossed with the idea that the Orient was especially created for them to exploit that they were inclined to treat such predictions as vain imaginings. Since then they have had abundant evidence that the predictions were not unwarranted, for Japan has become a formidable competitor in many fields which Westerners until recently never dreamed would be invaded by the race they assumed to be inferior.

The "Chronicle" never had any illusions on this score. The position of San Francisco in relation to the Orient made its editors observant of the transpacific peoples and qualified them to form a more accurate judgment than that inspired by a desire to exploit, and the arrogant feeling of superiority which make publications like the New York "Independent" reproach Californians with being cowardly because they shrink from the possibilities of a competition with a race fully as capable as our own and having the added advantage of being inured by centuries of self-denial to a mode of life to which we do not wish to conform, even if we had the ability to do so.

When the "Chronicle" on February 23, 1905, sounded its warning, it did so because it believed that an inundation of Japanese would result in a competition as effective domestically as the output of its manufacturing industries is becoming internationally. It did not assume that the laborer was the only person affected. It recognized that the introduction of large numbers of the working classes would result in edging out the white worker, but it perceived that the victory over the latter would pave the way to a complete orientaliza-

tion of the Pacific Coast states and territories. The recognition may be regarded as an admission of inferiority; it has been sneeringly alluded to as a confession of that kind. But sneers do not change facts, and if it is true—and experience teaches us that it is—that the Japanese, by superior virtues or the practice of economies to which we cannot or will not accustom ourselves, can drive us out of business, we would be fools to refuse to take precautions against such a result.

It is necessary to dwell on this phase to show that Pacific Coast antipathy to Japanese immigration is not the result of the fear of workingmen, and that the agitation was not the inspiration of labor unions. It was sound arguments and columns of facts that aroused the people to action. The first publication on the subject, as already stated, appeared on February 23, 1905. On the ensuing 1st of March, the Senate of California, by a unanimous vote, passed the following concurrent resolution:

Resolved, by the Senate, the Assembly concurring, That in view of the facts and the reasons aforesaid (recited in the preamble), and of many others that might be stated, we, as representatives of the people of the State of California, do earnestly and strenuously ask and request, and in so far as it may be proper, demand, for the protection of the people of this state and for the proper safeguarding of their interests, that action be taken without delay, by treaty or otherwise, as may be most expeditious and advantageous, tending to limit within reasonable bounds and diminish to a marked degree the further immigration of Japanese laborers into the United States. That they, our Senators and Representatives in Congress, be and are hereby requested and directed to bring the matters aforesaid to the attention of the President and Department of State.

On the 4th of March the assembly, without a dissenting voice, concurred, and the resolution, as adopted, was sent to Washington. The representatives of California in Congress complied promptly with the demand of the legislature. Up to the date of the adoption of the concurrent resolution by the Senate no labor organization in San Francisco or on the Pacific Coast had expressed itself on the subject. The first intimation that the public had that labor was interested was the passage of the following resolution by the San Francisco Labor Council on the night of March 2d:

Resolved, That we earnestly request the Labor Council to take such steps as it may deem necessary to promote agitation of this question among

the unions of the city and state by resolutions and mass meetings if necessary, for the purpose of strengthening the hands of our representatives in Congress and impressing upon them and all other representatives the necessity of passing adequate laws, and that the agitation be kept up until the object is attained.

There was nothing incendiary in this resolution; it was a matter-of-fact pronouncement made by men who understood the subject, and who acted promptly when their attention was called to the menace. At the time it was made there was no excitement, nor were there any exhibitions of race prejudice. The first mention of a possible objection to the presence of Japanese in the public schools was made in an article published in the "Chronicle" on March 5, 1905, which contained these words: "Precise statistics do not seem to be available, but a careful estimate made some six months ago showed the presence of over 1,000 Japanese pupils in the schools of San Francisco alone." In the same connection attention was called to Article X, Section 1662, of school law of California, which provided for the establishment of an Oriental public school for Japanese, Chinese or Korean children.

On the 5th of May, 1905, two months after the adoption of the concurrent resolution by the legislature, the Board of Education of San Francisco made the following declaration:

Resolved, That the Board of Education is determined in its efforts to effect the establishment of separate schools for Chinese and Japanese pupils, not only for the purpose of relieving the congestion at present prevailing in our schools, but also for the higher end that our children should not be placed in any position where their youthful impressions may be affected by association with pupils of the Mongolian race.

This declaration attracted very little attention at the time. If the Japanese protested against it, the fact was not made public. It is probable that they recognized the justice of some of the arguments urged in favor of segregation, and if they had not been inspired to act otherwise it is reasonably certain nothing would have been heard from them on the subject. At any rate, nothing came of the declaratory resolution, and it might have been completely ignored by the board making it had not the conflagration of 1906 destroyed many of the schools in the city and made it a difficult problem to take care of the white children of San Francisco. It was not until October 11, 1906, that active steps were taken to carry

out the provision of the state law. On that date the Board of Education of San Francisco adopted the following:

Resolved, That in accordance with Article X, Section 1662, of the School Law of California, principals are hereby directed to send all Chinese, Japanese or Corean children to the Oriental Public School, situated on the south side of Clay street, between Powell and Mason streets, on and after Monday, October 15, 1906.

It is doubtful whether this declaration would have incited the Japanese to protest had not the authorities at Washington objected. Immediately after its publication Victor H. Metcalf, then Secretary of the Navy, was sent to the coast to make an investigation, and he made a report to the President, the effect of which was to create the impression at the East that the Japanese on the coast were the objects of continuous persecution. Trifling affairs, which scarcely merited the attention of a police court, were magnified into matters of international importance. The "Chronicle" at the time took occasion to comment on the unfairness of his presentation, and it has since been explained that he was only expected to see one side of the case. In short, ex-President Roosevelt appeared to be seeking for matter upon which to base the most extraordinary attack ever made upon a section of the American Union. In his message to Congress, delivered in December, 1906, he threatened California with an armed invasion if it did not abandon its recalcitrant attitude, and he pictured a condition of affairs as existing here which, had it really existed, would have been shameful; but as it did not, he merely convicted himself of adding another to the long list of his hasty judgments.

It is not the purpose of this article to disprove the assertion that the Japanese in California are the victims of race hatred, or that they are oppressed because they are Japanese. It would be a waste of space to dwell on the subject, for the evidence is overwhelming that in all their ordinary relations with the people they are as well treated as any other foreigners in our midst. Hoodlums make assaults upon other foreigners. but nothing is heard of them, but the Japanese insist upon converting every difficulty in which they become involved into an international affair. During the waiters' strike in this city, Frenchmen, Germans, Italians and other foreigners suffered, but they did not appeal to their governments for redress.

It is only the Japanese who do so, and they make their appeals because they considered themselves as subjects of the Mikado, whom they have been led to believe exercises as much influence on this side of the Pacific as he does in his own empire.

My object is merely to make clear that the anti-Japanese immigration movement in California did not originate in labor circles, although, as is quite natural, the workingmen are a unit in their opposition to the introduction of a non-assimilable race. Despite the impression to the contrary which has been produced by the ill-considered assertions of a few men, the opposition is very general, and there is not the slightest doubt that if a vote on exclusion were taken it would, after a brief campaign of education, be as nearly unanimous as that cast against Chinese immigration in 1879, when less than four-tenths of one per cent of the qualified electors of California voted in favor of continuing the admission of Chinese laborers. The motives that contributed to that result would again operate in the case of the Japanese and in a much more powerful manner, because the people are profoundly convinced that only by their exclusion can the white man's civilization be preserved on the Pacific coast.

But meanwhile we pay the Japanese the compliment of being reasonable beings and not desirous of becoming involved in a conflict with the United States. They have shown this disposition from the beginning, despite the attempts to exaggerate certain political movements into professions of hostility. The people of the Pacific coast understand the situation, and do not seriously regard the war talk so frequently indulged in by Washington correspondents. They believe that President Roosevelt used the alleged grievances of the Japanese as a bogey to secure consideration for his plans for a bigger navy, and while he from the wilds of Africa is sending out warnings and advice to get ready to repel an invasion of Japanese warships the people of San Francisco and of the Pacific coast generally, have been showering courtesies on visiting Japanese ships, fully convinced that pleasant international relations can be maintained with Japan even if we do insist that it is unwise to bring two unassimilable races in close and dangerous contact.

OPPOSITION TO ORIENTAL IMMIGRATION

BY WALTER MACARTHUR,

Editor "Coast Seamen's Journal," San Francisco, California.

The opposition to Oriental immigration is justified upon the single ground of race. Whether the incompatibility of the peoples of Asia and America can be attributed to race repulsion, race antipodalism, or race prejudice, one indisputable ground of race conflict remains, namely, that of race difference. The race difference between these peoples is radical and irreconcilable, because it reaches to the most fundamental characteristics of each. It is not a matter of tongue, of color, or of anatomy, although in each of these respects the difference is very clearly marked, but of morality and intellect.

Only upon the race ground can we comprehend the real nature and dimensions of the subject. Considered from this standpoint, exclusion follows as the inescapable law of our national safety and progress. Considered from any other standpoint—that is, with any other point as the basis of reasoning—the subject becomes involved in matters of detail, which, being in themselves matters of dispute, lead only to interminable discussion. Recognizing the race aspect of the subject as the main ground of exclusion, the minor grounds, such as those of an economic or political nature, serve to reinforce the argument as so many corollaries.

The instinct of race preservation is the strongest impulse of mankind in the aggregate. No incidents in history are more familiar than the successive Asiatic invasions of Europe. The influence of these invasions, persisting to the present day, is equally well known.

Nearly five hundred years before the birth of Christ the Asiatic invasion of Europe was successfully challenged by Miltiades on the field of Marathon. Ten years later Leonidas died at Thermopylae while defending the "ashes of his fathers and the temples of his gods." The success of the Persian king, Xerxes, on that occasion was but the forerunner of his defeat in the same year by Themistocles at Salamis,

"When on these seas the sons of Athens conquered
The various powers of Asia."

The two great battles between Alexander and Darius (334-331 B. C.), resulting in the destruction of the Persian monarchy, are so many incidents in the same great struggle. The conquest of a great part of southeastern Europe by the Huns in the fifth century, the defeat of Attila at Chalons, and the settlement of his followers in the country now known as Hungary, left the world the heritage of a mixed race that forms a constant menace to its peace. The invasion of Asia Minor and the Balkan States by the Ottoman Turks in the eleventh century laid the fairest region of Europe under tribute to Asia and demoralized the Caucasian race in that region, thus giving rise to that admixture of peoples, the type of which is commonly referred to as "unspeakable."

The best known and most far-reaching of these invasions is that which began under the leadership of Genghiz Khan, in the thirteenth century, followed by that of Timur, in the fourteenth century, and continuing at intervals until the sixteenth century. For 224 years, namely, from 1238 to 1462, the Mongols were supreme in Russia. The immediate result of the struggle to drive the Mongols back over the Urals was the establishment of an autocratic government, of which the present reigning house of Russia is the lineal descendant. A further result is seen in the Tartar strain that runs through the people of southern and eastern Russia, the utilization of which, as in the case of the Cossacks, is responsible for much of the cruelty perpetrated upon the people of "White Russia."

Of a kind with these historical race wars is the Arab invasion of Spain, in 711, and the subsequent incursions into France. Until 1492, a period of nearly eight hundred years, the Moors remained in control of almost the whole of Spain. The success of the Moorish invaders in France was short-lived. They were met and defeated by Charles Martel, at Tours in 732. In a few years they were driven to the southward of the Pyrenees, and thus a limit was set to the advance of Asia in Europe.

The persistence of these invasions, and the ferocity that marked their conduct, indicate quite clearly the irresponsible nature of the conflict between the races. The conflict is irrepressible because it

arises from a difference in the nature of the races. To describe this difference in so many words is a task the success of which must, of course, be limited by the ability to define and express the respective race instincts. Certain characteristics of the Asiatic and Caucasian races are sufficiently manifest to permit of contrast in terms of general comprehension. Such a contrast was drawn by United States Senator Perkins, in a speech on the Exclusion Law, in 1902, in which he said:

Personal freedom, the home, education, Christian ideals, respect for law and order are found on one side, and on the other the traffic in human flesh, domestic life which renders a home impossible, a desire for only that knowledge which may be at once coined into dollars, a contempt for our religion as new, novel and without substantial basis, and no idea of the meaning of law other than a regulation to be evaded by cunning or by bribery.

As exemplifying the attitude of the Chinese toward Christianity, the following, from a letter written four years ago by Ambassador Wu, is significant:

There is no objection to Christianity as a theory, but as something practical it is entirely out of the question. We tried such a system in China five or six thousand years ago, but we had to get a philosophy that the people could live up to. No people ever obey the precepts of the Christian religion; the whole system is a failure. Theoretically it is all right, but practically it is a failure.

A distinguished Japanese recently described Christianity as "not a religion, but a commercial system." This attitude of mind may account for the fact that the number of Chinese converts to Christianity amounted to little more than 1,000 after sixteen years' labor of about a hundred missionaries at the five treaty ports.¹ The number of such converts is still hardly more than nominal. It is authoritatively stated that not more than one per cent of the Japanese have embraced Christianity.

It is the superstitious that need religion, says the Japan "Mail." With no god to worship and no immortal soul to think about, educated people can pass their lives very pleasantly in the enjoyment that nature and art have bestowed upon them. Of what use to them is the religion that satisfies the uncultured mind?

¹"Religious Condition of the Chinese," by Rev. Joseph Edkins, 1859.

United States Senator Money, in a recent speech on the Negro question, thus describes the race from which the American people have sprung:

The characteristics of these people were their personal love of liberty, their high spirit of adventure, their willingness to take all responsibility, their ability to rise to the demand of every occasion, and one of the grandest features of it all was their profound respect and love for women.

The well-known views of Herbert Spencer, concerning the effects of race admixture, are highly pertinent at this juncture. In his letter to Baron Kentaro Kaneko, Spencer said:

I have for the reasons indicated entirely approved of the regulations which have been established in America for restricting Chinese immigration, and had I the power I would restrict them to the smallest possible amount, my reasons for this decision being that one of two things must happen. If the Chinese are allowed to settle extensively in America they must either, if they remain non-mixed, form a subjective race standing in the position, if not of slaves, yet of a class approaching slaves, or, if they mix, they must form a bad hybrid. In either case, supposing the immigration to be large, immense social mischief must arise and eventually social disorganization. The same thing would happen if there should be any considerable mixture of European races with the Japanese.

Lafcadio Hearn, in his "Life and Letters," casts a strong light upon the alleged assimilability of the Japanese, as follows:

Here is an astounding fact. The Japanese child is as close to you as the European child—perhaps closer, and sweeter, because infinitely more natural and naturally refined. Cultivate his mind, and the more it is cultivated the farther you push him from you. Why? Because here the race antipodalism shows itself. As the Oriental thinks naturally to the left where we think to the right, the more you cultivate him the more he will think in the opposite direction from you. . . . My conclusion is that the charm of Japanese life is largely the charm of childhood, and that the most beautiful of all race childhoods is passing into an adolescence which threatens to prove repulsive.

Speaking of the difference in the circumstances of race admixture in the United States and in other countries, and noting the advantage of the former in the fact that "a single language became dominant from the time of the earliest permanent settlement," Professor John R. Commons, of the University of Wisconsin, says:²

²"Races and Immigrants in America."

This is essential, for it is not physical amalgamation that unites mankind; it is mental community. To be great a nation need not be of one blood, it must be of one mind. Racial inequality and inferiority are fundamental only to the extent that they prevent mental and moral assimilation. *We think together we can act together, and the organ of common thought and action is common language.* Through the prism of this noble instrument of the human mind all other instruments focus their powers of assimilation upon the new generations as they come forth from the disunited immigrants.

It is precisely in "mental community" that the Asiatic is most lacking. It is said that the Japanese language contains no words synonymous with "sin" and "home," presumably because the Japanese have no conception of either. They do not think in terms of Caucasian or Christian morality.

The economic and political grounds of opposition to Asiatic immigration have their bases in the race question. The Asiatic is a cheap laborer because he lacks the racial impulse that makes for the maintenance of a high standard of living. He is a menace to free government because he lacks the inspiration of personal liberty.

Referring to the attitude of the American working class toward the labor of alien races, Professor Commons says:³

They were compelled to admit that though they themselves had been immigrants, or the children of immigrants, they were now denying to others what had been a blessing to them. Yet they were able to set forward one argument which our race problems are every day more and more showing to be sound. *The future of American democracy is the future of the American wage-earner. To have an enlightened and patriotic citizenship we must protect the wages and standard of living of those who constitute the bulk of the citizens.* . . . For it must be observed in general that race antagonism occurs on the same competitive level. What appear often to be religious, political, and social animosities are economic at bottom, and the substance of the economic struggle is the advantage which third parties get when competitors hold each other down. . . . It was the poor white who hated the negro and fled from his presence to the hills and the frontier, or sank below his level, despised by white and black. In times of freedom and reconstruction it is not the great landholder or employer that leads in the exhibition of race hostility, but the small farmer or wage-earner. The one derives a profit from the presence of the negro—the other loses his job or his farm.

While it is true that ordinarily "race antagonism occurs on

³"Races and Immigrants in America."

the same competitive level," thus lending color to the assumption that the race problem is "economic at bottom," too great emphasis is placed upon the economic phase. Of course, Oriental immigration is induced largely by economic conditions. But were Orientals attracted to this country by other reasons entirely, and were they to occupy a different place in the social and economic order, the race problem would still persist.

It is frequently contended that an illimitable supply of Asiatic labor would be a good thing for the American workman, by relieving him of those forms of labor which are in their nature disagreeable and poorly paid. This view is sometimes expressed in the form of an analogy between the cheap laborer and the labor-saving tool. This contention is a complete reversal of the tradition concerning the "dignity of labor." The American workman, skilled or unskilled, is not yet ready to accept the classification of labor of any kind as a "tool" in the hands of other men. The American people are not yet ready to assume that certain forms of labor are less honorable, or "dignified," than others, and therefore less entitled to share the responsibilities and enjoy the respect of common citizenship.⁴

The number of Japanese at present in the United States is estimated at 130,000, of whom 60,000 are located in California, a decrease of 5,000 in that state during the past year, due to eastward migration.⁵ The number of Japanese in Hawaii is 72,000.⁶ The number of Chinese in California is estimated at 35,000; in the United States, 300,000.⁷ The Japanese own and control several of the most fertile parts of California and are rapidly making themselves felt in almost every branch of trade and commerce, not merely as cheap-labor "tools," but as active business competitors. The Asiatic population of Hawaii now exceeds that of the combined Caucasian and native elements.⁸ The same condition exists among the children in the public schools,⁹ and the increase of native-born

⁴Cheap labor may hinder industrial development. "Great estates ruined Italy." On the same principle it is said that "Spanish grants and coolie labor" have hindered the development of California.

⁵Statistics of Asiatic Exclusion League, San Francisco.

⁶Report of Governor Frear, 1909.

⁷United States Senate Report 776, February, 1902.

⁸Bulletin of the Bureau of Labor, No. 66, September, 1906.

⁹J. Kuhio Kalanianaʻole, Hawaiian Delegate to Congress.

Asiatics in that territory already threatens American supremacy in the political field.

With the progress of industrial development in Asia, involving a radical change in the national habit of life, from that of "sacrificing production to population," as under a hand-labor system of industry, to one of "sacrificing population to production," as under a machine system of industry, it is inevitable that the struggle for an outlet for the surplus population must constantly become more severe. Unless checked by exclusion laws, the forced migration of the disemployed of Asia will follow the line of least resistance, namely, toward the western shores of the United States.

The demand for Asiatic exclusion originated in the earliest period of American development on the Pacific Coast. In 1852, the California legislature imposed a tax upon Chinese miners. Subsequently other state measures were adopted as a means of protecting American labor from competition with Chinese. These measures were declared invalid, as being beyond the authority of the state. In 1877, the California legislature passed an act calling for a vote of the people on the question of Chinese immigration. The vote was taken on September 3, 1879, and resulted in 833 votes in favor and 154,638 against the admission of Chinese. The adoption of the Burlingame Treaty, in 1868, followed by various acts of Congress enacted in 1882, 1884, 1888, 1892 and 1902, marks the respective stages of the federal legislation culminating in the total exclusion of Chinese, other than "merchants, teachers, students and travelers for pleasure or curiosity."

In 1854, Victoria and New South Wales, Australia, enacted Asiatic restriction laws. At present Asiatics are practically excluded from Canada, Australia and New Zealand by a prohibitive head tax of \$500. In the two last-named countries this tax is imposed upon all persons not of white color and blood, even though they be British subjects.

The principles of exclusion and the means of attaining that object are very well set forth by United States Senator Newlands, in the following terms:¹⁰

History teaches that it is impossible to make a homogeneous people by a juxtaposition of races differing in color upon the same soil. Race tolerance, under such conditions, means race amalgamation, and this is unde-

¹⁰Letter of Senator Newlands to the Legislature of Nevada, February 3, 1909.

sirable. Race intolerance means, ultimately, race war and mutual destruction, or the reduction of one of the races to servitude. The admission of a race of a different color, in a condition of industrial servitude, is foreign to our institutions, which demand equal rights to all within our jurisdiction. The competition of such a race would involve industrial disturbance and hostility, requiring the use of a large armed force to maintain peace and order, with the probability that the nation representing the race thus protected would never be satisfied that the means employed were adequate. The presence of the Chinese, who are patient and submissive, would not create as many complications as the presence of the Japanese, whose strong and virile qualities would constitute an additional factor of difficulty. *Our friendship, therefore, with Japan, for whose territorial and race integrity the American people have stood in active sympathy in all her struggles, demands that this friendship should not be put to the test by bringing two such powerful races of such differing views and standards into industrial competition upon the same soil.* . . .

Our country should by law, to take effect after the expiration of existing treaties, prevent the immigration into this country of all peoples other than those of the white race, except under restricted conditions relating to international commerce, travel, and education. . . . Japan cannot justly take offense at such action. She would be the first to take such action against the white race were it necessary to maintain her institutions. She is at liberty to pursue the same course. . . . *Thus, upon the expiration of the present treaty with Japan and without attendant attacks upon Japanese sensibilities, public opinion will be so shaped as to force a calm and rational solution of the question by purely domestic and national legislation.*

The conclusion of the whole matter then is that exclusion is the only alternative of race degeneracy or race war.

ORIENTAL vs. AMERICAN LABOR

BY A. E. YOELL,

Secretary Asiatic Exclusion League of North America, San Francisco, Cal.

For a proper comprehension of the dangers threatening the wage earning classes in California through the competition of Asiatics it is necessary to take a view of the conditions prevailing in Hawaii, brought about by the predominance of the Asiatic element in the population of that territory. With a population of 170,000 of all races, there are 72,000 Japanese, 25,000 Chinese and about 8,000 Koreans, making the Asiatic element 61 per cent of the whole.

The orientalization of the Hawaiian Islands and the resulting character of the working population by the elimination of white mechanics and laborers have created an acute labor problem, and the white laborer of California fears that the presence of large numbers of Asiatics in that state will bring about conditions similar to those existing in Hawaii. For the wage earner and small merchant, the problem is one of survival in the face of an increasing, irresistible and disastrous competition.

Less than 50 per cent of these Asiatics are engaged in plantation work, and other agricultural pursuits; the remainder are in domestic service, trade and transportation, manufacturing and mechanical pursuits. In some of these lines Asiatic competition is of early date, but during the past five or six years every trade has been invaded, in some instances to the absolute exclusion of the Caucasian element. There are practically no white wage earners engaged in making men's and women's garments and shoes, though a few earn a precarious living by repairing and cobbling. The Japanese are strong competitors in the plumbing trade, and in some places have practically monopolized the work of making tinware for plantation stores, and for sale among working people. The whites are being driven from all the miscellaneous trades very rapidly.

The building trades have also been aggressively invaded by the Japanese, and white mechanics are steadily giving up and forming a procession back to the coast. A white contractor, who used white and Hawaiian labor only, recently said that he had not had a contract

of any importance for nearly a year and a half, because he had been ruinously underbid, either by Japanese contractors or white contractors using Asiatic labor exclusively. He called attention to a large building being constructed, upon which thirty-five workmen were employed, and although there were plenty of whites and Hawaiians idle, not a single workman was found on the building except Asiatics. Every detail of the building—carpentering, plastering, plumbing, painting—was done by Asiatic labor. The only city occupations not yet subject to keen Japanese competition are the English printing trades and some forms of machinery and metal working.

There is an aspect of the Japanese question in Hawaii which also affects the planters, and it arises out of the preponderance among the laborers of a single nationality, which, to a certain extent, takes out of the hands of owners the control of administration. The Japanese have learned their power and use it unmercifully. Evidence, both direct and indirect, presented itself in 1905, showing that plantation owners fear the power of their Japanese laborers, and endeavor to placate them by concessions not dictated primarily by regard for efficient service. At this writing, June 1, 1909, some 10,000 Japanese plantation laborers are on strike for higher wages, and though the planters are, to some extent, filling their places with the labor available, it may safely be predicted that, as half of the sugar crop remains unmilled, the Japanese will win the day.

The wages paid Orientals in Hawaii on the plantations is about one-third of that paid to whites for the same class of employment. In the miscellaneous trades in Honolulu the difference is not so great, being about 50 per cent, but it is in the mechanical and building trades that the keenest competition by means of reduced wages is felt.

AVERAGE WAGES PER DAY.

	American.	Japanese
Carpenters	\$3.59	\$1.54
Foreman Carpenters	5.75	2.43
Engineers	4.72	1.66
Foreman Painters	4.00	2.50
Painters	3.25	1.50
Sheet Metal Workers	3.16	1.50
Tinsmiths	3.50	1.50

The foregoing table should be convincing evidence that Americans cannot compete with Asiatics and maintain the present standard of living. That the building trades of California have also been invaded will be seen further on.

In several parts of California conditions prevail closely paralleling those existing in Hawaii, and though the number of Asiatics here is but 89,000,¹ against 105,000 in the islands, the thin edge of the wedge has entered and is being driven home. Mercantile and mechanical pursuits have not, however, been invaded to such an extent as in Hawaii, but the danger is a real one, and will be presented in detail later on.

Wages, Hours of Labor and Conditions in San Francisco

On March 13, 1906, Hon. E. A. Hayes delivered a speech in the House of Representatives, in which he paid particular attention to the competition of Chinese and Japanese in various lines of industry in San Francisco. Since then conditions have grown from bad to worse, until in some lines they have become almost unendurable. The following is compiled from the latest available information:

Seamen: The number of Asiatics sailing between Pacific Coast and trans-Pacific ports is estimated at 3,500, their wages averaging from \$5.00 to \$7.50 United States gold, against \$30.00 paid to the white seamen for similar services. The Pacific Mail Steamship Company, employing Chinese seamen, is virtually being driven out of business by the competition of Japanese liners, and though operating at a considerable yearly loss, is kept in existence through the patriotism of Mr. Harriman, who refuses to haul down the flag from the only line flying the American flag in the Oriental trade.

Butchers: There are employed in the pork trade 200 Chinese, who work sixteen hours per day, against the ten hours of the white butcher. The Chinese handle about 75 per cent of all the pork slaughtered. In consequence of this competition, the white pork butcher has to work for 24 to 50 per cent less wages than those in other branches of the business. Wages,²—white butchers, \$20 per week; Chinese, \$35 per month.

Broom Makers: The Chinese have destroyed competition in this industry by cheap methods and inferior workmanship. The

¹Japanese, 55,000; Chinese, 30,000; Koreans, 2,000; Hindus, 2,000.

²Ruling wages are given in this compilation.

white broom maker works nine hours for \$2.50 per day. The Chinese work from ten to fourteen hours for \$6.00 to \$9.00 per week.

Garment Workers: Including both Chinese and Japanese, there are about 150 establishments employing about 1,000 hands working from ten to twelve hours per day for \$4.00 per week on ladies' wear, to \$50.00 per month on gentlemen's goods. White workers have a day of nine hours and are paid \$9.00 to \$20.00 per week, according to the class of goods.

Laundry Workers: There are in San Francisco over 100 Chinese hand-washing laundries and eighteen modern equipped Japanese steam laundries, employing in the aggregate, with Japanese apprentices, about 1,000 hands. These Asiatic laundries are doing at least five-eighths of the laundry work of the city, and the white worker is being constantly reminded by the employer of the difficulty experienced in competing with Mongolians. Before the advent of the Japanese steam laundry (1905) there were 1,650 white union laundry workers; to-day there are only 1,050. The white laundry worker's time is fifty hours per week, wages \$6.00 to \$18.00 per week. The Japanese time is ten to fourteen hours a day, wages \$6.00 to \$9.00 per week. The Chinese works as long as he can endure; wages \$3.00 to \$15.00 per week.

This competition has caused the establishment of Anti-Jap Laundry Leagues throughout the state, and this action has been met by the Japanese by a still further reduction in their price lists, which now stand at about 50 per cent less than that of the white laundries.

Cooks: The number of Asiatics employed varies according to the season. Chinese, 200 to 300; Japanese, 400 to 750. Hours of labor,—white, from 10 to thirteen hours per day; Chinese and Japanese, from fourteen to sixteen hours per day. Wages,—white, \$15.00 to \$25.00 for six days; Chinese and Japanese, from \$25.00 to \$35.00 per month, without any day off. The Chinese and Japanese serve meals for ten cents, which entices a certain class of men to extend them their patronage.

In railroad construction throughout the state 200 to 300 Chinese and from 400 to 600 Japanese camp cooks and helpers are employed, the number varying according to the time of the year.

Waiters: The Chinese restaurants, of which there are twenty, employ about 180 of their own countrymen. Of Japanese restau-

rants there are seventy, in which there are possibly 300 Japanese. In the white restaurants the hours of labor are nine for women, with a wage of \$7.00, and ten for men, with a wage of \$10.50. The Chinese average thirteen hours for \$6.00, and the Japanese fourteen hours for \$5.00. In boarding houses and saloons there are probably more than 1,000 Japs employed as cooks, porters and maids-of-all-work, to the exclusion of that number of white workers.

Domestics: In this occupation, that of house servant, the Japanese have supplanted the Chinese, as they have supplanted the white domestic. Mr. Walter V. Stafford, who was state labor commissioner, 1902-1906, declared that 5,000 white girls had been robbed of their employment as domestics by Japanese. This was accomplished by several methods: (1) By the student domestic, who gave his services for board and the privilege of going to school; (2) by the organization of Japanese house-cleaning companies, whose members go out by the hour or day, working between times at shoe repairing and other industries, working at a rate and living under conditions to which no self-respecting white girl can submit. The manager of one of the leading female employment agencies recently said: "Any woman who will pay decent wages and treat her help like human beings can get all the girls needed. People have become so accustomed to Orientals that they forget an American girl cannot live like an Asiatic."

In this connection, it may not be amiss to call attention to a statement made by Mr. Hepburn, of Iowa, in reply to a speech by Mr. Hayes upon the Asiatic question:

They are the choice of all the domestics of the gentleman's own state. I do not hesitate to say that 500,000 could be absorbed into the labor field of the United States and not displace a single American.

The trouble is that there are no Americans to displace because, as has been said before, no self-respecting American girl will enter into competition with Mongolians. It is said by some of our philanthropic publicists in California that the American girl is too hard to please; that she expects too much from her employer; but be that as it may, the following excerpts should be sufficient proof that with all her faults the white girl should be preferred to her Asiatic competitor.³ Mr. J. D. Putnam, Chinese Inspector at Los Angeles, Cal., says:

³Report of United States Industrial Commission, Vol XV, page 799.

Those not acquainted with Chinese and their habits and customs, cannot realize the demoralizing effect they have upon the young and rising generation. I venture to say that more girls are ruined by the wily Chinese, as few of them as there are, comparatively, than all other criminal classes combined. Stop and think of the Chinese at the wash tub with a young girl's wardrobe, then as her chambermaid, with his head shaved and his white apron, and with that bland smile on his face, and then turn and look at the ladies who visit their places. Can you believe that the Chinese are more than human? The Chinese as a class are a born set of bribers, gamblers, polygamists and perjurers, and when anyone will show me one actually converted Chinaman among them, then it will be one I have not met. You may have evening mission schools for young Chinese men for young ladies to teach, and you will have no lack of pupils; but take the ladies away and put young men equally capable and religious in their places, and in a short time you will not have a Chinaman attending school.

If in the above you substitute the word "Japanese" for Chinese, and then underline each word, you will still have but a faint conception of the conditions with which the American girl has to compete if she wishes to earn a living by domestic service.

Building Trades: For the purpose of securing information concerning the inroads likely to be made by the Japanese on the building trades, Dr. Carl Saalfeld submitted plans, for a house he contemplated building, to Japanese architects and contractors, with the following results: He found that the Japanese have entered into all the thirty-four trades connected with the building of a modern house. He found that they would build a fine house for \$2,000 less than the lowest bid from an American firm. That bid was \$5,800. The Japanese offered to build it for \$3,800. They would do everything, from the excavating to the plumbing, gas-fitting, painting and decorating,—turning over the keys for a finished house. The doctor, thinking there had been some mistake, went over the plans with them, even to the tile laying, but they stood by their figures. They pay their carpenters \$1.50 per day and their laborers about 60 per cent less than a white laborer receives. The item for common labor has been figured by the white American at \$700—the Japanese figured it at \$250. In various parts of the state they have done much cement and concrete work, and good work, too, but at a figure which a white man cannot touch and live.

The figures following were compiled from the report of the Twelfth Census, 1900, and while we cannot go behind them, we are convinced, through reports emanating from the Treasury Depart-

ment officials, that a large number of Mongolians, both Chinese and Japanese, succeeded in evading the enumerators. Keeping that statement in mind, the following should certainly be of interest:

MONGOLIANS ENGAGED IN THE BUILDING INDUSTRIES, 1900.

Occupation.	Chinese.	Japanese.	Total.
Carpenters	417	666	1,083
Masons (brick and stone)	4	49	53
Painters and Varnishers	105	56	161
Plasterers .....	...	4	4
Plumbers and Gas Fitters .....	...	1	1
Marble and Stone Cutters .....	...	33	33
Tin Plate Workers	116	12	128
Cabinet Makers	16	7	23
Saw and Planing Mill Workers	76	165	241
	<hr/> 734	<hr/> 993	<hr/> 1,727

It is thus seen that there were 734 Chinese and 993 Japanese building mechanics in 1900, but how many of them were in California we have no means of finding out. We do know, however, that since 1900 over 50,000 Japanese have come to the mainland of the United States from the Territory of Hawaii, and that the Japanese population of California has increased over 600 per cent; and it would be the height of folly to assume that there was not more than a fair sprinkling of building mechanics among them. We know further that during the years 1901 to 1907, both inclusive, 109,406 Japanese entered the United States through legal channels, and of that number 4,446 were skilled mechanics. It is not reasonable to believe that they will be content to work as field laborers and domestics when the opportunity is afforded them to invade the building industries.

Farm Labor: The employment of Japanese upon the farms of California is a measure which, though apparently necessary at one time, is now a source of regret to those responsible for their introduction.

In 1895 a labor contractor in Honolulu offered to place 30,000 Japanese laborers in the agricultural districts of California, who would work for \$12.00 per month and board themselves. This proposition was taken up with avidity by the farmers, who were always short of help in the harvest season, and the records of the steamship companies show that many thousands came. In a very

short while the white farm laborers were driven to the large cities, and the Japanese had the field of agriculture to themselves. It was not long before the farmers discovered that they had created a "Frankenstein." Instead of having "cheap" labor, they soon had to pay the Japanese more wages than they formerly paid the white workingmen. By working in gangs under a head man, and by combination through the various Japanese associations, they have advanced their wages to \$2.00 a day and upward. In many cases, the farmer becoming discouraged by the continual raids upon his pocket, leased his ranch to Japanese on shares, to be again outwitted by his Oriental "friends." The last resort was to lease or sell outright, until the Japanese own and lease in the aggregate some 150,000 acres of the most fertile land in the state. The result is that to-day the potato crop of the state is controlled by George Shima, the "Potato King," who compels us to pay five cents per pound for potatoes at retail.

In Southern California the celery crop and other vegetables are controlled by Japanese, the white growers being helpless against them. In the Santa Clara Valley, one of the most beautiful parts of the state, the berry crop is almost entirely in the hands of the Japanese.

Recently, however, the Farmers' Educational and Co-operative Society has taken the matter in hand, and is seeking the co-operation of organized labor to aid in marketing farm products raised and packed entirely by white labor. The following excerpts from the Twelfth Biennial Report of the California Bureau of Labor Statistics illustrates in a vivid manner the conditions existing in several of the districts dominated by the Japanese:

Watsonville.—Men of standing in the community who employ Japanese and have no race prejudice, apparently, and who are distinctly opposed to labor unions, largely on account of the opposition of the latter to Orientals, declare the Japanese dishonest and inferior in this regard to the Chinese. When the Japanese arrived in the Pajaro Valley they were welcomed by the merchants; to-day the merchants bitterly complain that the Japanese have become their very close competitors. They run restaurants, barbershops and ready-made clothing stores in the City of Watsonville and operate busses and delivery wagons in the adjacent territory. One bank positively refuses to open any account with the Japanese because of their absolute dishonesty, the same bank welcoming business from the Chinese. The local postmaster places the Jap in a class by himself, and will not cash his money orders without other evidence than the possession of the order, and there is a large postoffice money

order business with the Japanese on account of the fact that certain banks decline to do business with them.

Vacaville.—The Japanese came to Vaca Valley, Solano County, about eighteen years ago and commenced working for very small wages. Their number increased until they not only displaced about all the white labor, but almost entirely ran out the Chinese. They then began to rent orchards, paying cash in advance, thereby undermining the Chinese, who generally paid with a share of the crops. The Jap outbid the Chinaman until he ceased to be a factor. This condition developed until the Japanese control, by lease and ownership, half of the fruit farms in the valley at this time.

Latterly their handling of leased ranches has been less satisfactory. They cultivate indifferently, or for immediate results, to the serious detriment of the property. Prior to the advent of the Japanese, Vaca Valley was renowned for its orchards, which attracted wide attention, especially on account of the superior methods of pruning and cultivating. To-day there can be no boasting in this respect. Large shipping firms give the Japanese credit and backing, and aid them in obtaining leases, etc., on account of their ability to obtain labor in the fruit season. The white rancher can scarcely obtain such aid, on account of his lack of assurance of sufficient help. In other words, the Japanese have the best organization.

It is generally conceded that 90 per cent of all the people met, walking or driving on all the country roads around Vacaville, are Japanese. One of the prominent fruit growers and shippers in the valley estimates the fruit orchards of Vaca Valley and adjoining foothills at 15,000 acres, more than half of which are in the hands of Japanese lessees, or owners, principally leased. He declared the Jap is an expert at drawing all the vitality out of the land and the trees. Land values have shrunk one-third in the past fifteen years.

The Japanese stores, of which there are six in Vacaville, are doing more than 50 per cent of the general merchandise business of the town, and 90 per cent of the farm supply business.

Fresno.—In Fresno, as at other points, it is generally conceded that the Jap is merciless when he has his employer at a disadvantage; that he will work cheaply until all competition is eliminated, and then strike for higher wages, totally disregarding any agreement or contract.

There is no place in the state where the problem is so grave, from the fact that the raisin territory (and Fresno is the greatest producer of raisins on the planet) depends almost entirely on the Orientals. Last year over 4,000 cars of raisins were shipped from Fresno. The more intelligent citizens realize the gravity of the situation both from the economic and racial sides. Similar conditions in a lesser degree exist in the different berry and sugar beet sections of the state. The general persistency with which the Japanese are breaking into many industries, their frugality, their ambition and their lack of business morality, render them more formidable than the Chinese.

It is astonishing that in the light of this evidence so many public men, in and out of Congress, declare that the labor necessi-

ties of the Pacific Coast demand the presence of these Asiatics. They say that our fruit orchards, mines and seed farms cannot be worked without them. It were better that they never be developed than that our white laborers be degraded and driven from the soil. The same arguments were used a century and more ago, to justify the importation of African labor. I assert, most emphatically, that there is no demand for labor on the Pacific Coast that cannot be fully met with white laborers if conditions are made such that they will wish to come and remain here. As it is now, no self-respecting white laborer will work beside the Mongolian upon any terms. The proposition, whether we shall have white or yellow labor on the Pacific Coast, must soon be settled, for we cannot have both. If the Mongolian is permitted to occupy the land, the white laborer from east of the Rockies will not come here—he will shun California as he would a pestilence. And who can blame him?

NOTE.—The authorities consulted for this paper were:

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California: Reports of California, Bureau of Labor Statistics, 1898-1908.

Report of U. S. Industrial Commission, Vol. XV.

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MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING ORIENTAL IMMIGRATION

BY HON. ALBERT G. BURNETT,

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The people who for sixty years have been building for themselves homes on the Pacific slope have in their veins, as have their kin in the East from whom they parted, the blood of the Puritan and the Cavalier, intermingled by the infusion from European countries. The short space of time during which they have lived apart and the few miles which separate them from each other have not caused them to become strangers. The pioneers of the West carried thither, and their descendants have inherited, the traditions, the laws, the customs, the ideals of their ancestors on the Atlantic. If, then, there is a difference of opinion or a misunderstanding between the people of the East and those of the West on the subject of Oriental immigration to the United States, it must be due solely to environment.

The people of the New England and Middle States have for more than half a century been accustomed to seeing the great flood of European immigrants pouring through their gates. While notes of warning have frequently been uttered against this invasion, the people at large have noticed that in the second or third generation the newcomers have generally become assimilated with our own population and in the main the country has benefited by their coming. The easterners have not, as yet, faced the problem of an influx of aliens unassimilable with ourselves.

But on the shores of the Pacific the white man, at first curiously noticing the incoming advance-guard of the Asiatic races, soon took genuine alarm at the thought that untold millions of these people might domicile themselves with us, introducing to our people dangerous forms of vice and creating a labor situation which it was feared would banish the white laborer from the coast; and it was also perceived that this vast exodus of coolies would not appreciably

diminish the supply in the over-populated Orient. It was comparatively easy to stem the tide when it was the Chinese who were coming; the problem now is, in many respects, an entirely different one. While we are grappling with the question of the influx of Japanese and are uncertain as to the final outcome—or, at least, as to the method of achieving the only solution which will be conceded on the coast—we are threatened with an invasion of England's half-starved, superstitious, caste-bound Hindus, whose evil propensities in certain directions seemed delightfully interesting fiction coming from the fascinating pen of Kipling, but are now discovered to be none too truthfully portrayed by him. The West is alarmed.

The antipathy existing in the states beyond the Rocky Mountains to the natives of Nippon is due partly to racial, partly to economic causes. While the few may dream of the coming Utopia where the "Brotherhood of Man" has become an assured fact, the masses in every nation are still governed largely by inherited prejudices, and of all these race prejudice is, perhaps, the strongest. When an occasional marriage of a white woman to a Japanese raises a storm of protest among the white people of the community, it is no greater than that raised by the Japanese themselves, and for the same reason; each race is opposed to the intermarriage because it thinks its own member is degrading himself or herself by becoming a party to it.

There exists no prouder or more sensitive race than the Japanese, and to this fact is due, in great degree, the difficulty of dealing with the situation. The methods pursued in the exclusion of the Chinese, if followed in the case of their island neighbors, would undoubtedly lead to serious trouble, if not to open hostilities. Despite certain warlike utterances in some of the western newspapers, the great majority of the people on the Pacific Coast are fully alive to the horrors of war and do not wish recklessly to provoke one with any nation.

Again, the experience of the southern states in dealing with an alien race, even though domiciled there for centuries, has served as a vivid warning to the people of the West to avoid the perplexing questions which have for so long harassed the South. They believe that one such race problem should be sufficient to cause us to forever guard against the introduction of another.

The economic questions involved in the employment of Japanese

labor are complex, and there is no unanimity of opinion on this subject among the people of the Pacific states. There are two prominent interests desiring more or less freedom of entry for the Asiatic races—the steamship companies and the horticulturist and farmer. The reasons actuating the former are obvious and need not be adverted to. But the question of labor in the orchards and vineyards and on the farms is of vital interest to the men by whose efforts there are produced annually in California alone fruit crops valued at thirty millions of dollars. On account of climatic and other conditions, many white men are averse to performing certain portions of the farm and orchard work. In many cases where they have been employed, there has been a tendency among them to quit their employment when the first pay-day arrived and to find congenial company in the saloons of the nearest town. It is not a question of low wages altogether, for Japanese frequently earn from three to five dollars per day in the harvest season. The crying need of the orchardist and farmer is reliable labor, and it is claimed that the only laborer who has yet come up to the requirements is the Chinese. He is as a general rule patient, reliable and uncomplaining, and will faithfully perform any contract he may enter into even at a pecuniary loss to himself, but he is barred by the exclusion act. The Japanese laborer is not as honest as the Chinese. He has no scruples about violating a contract with his white employer when he sees that by so doing he can place the owner at such disadvantage that, in order to save his crop, he will submit to demands that are extortionate. Nor is the Japanese content to remain an employee, but by cunning and trickery he forces the white land owner either to lease or sell to him his land. A favorite method of dealing with a white lessor is so to prune his orchard that in two or three years it will produce no revenue, and the discouraged owner will sell for any price.

The fruit-growers of California, in convention assembled, have officially memorialized Congress demanding that the Chinese exclusion law be modified and that a fixed and liberal number of Chinese and an equal number of Japanese be permitted admission annually. Their claim is that it is practically impossible to secure white men to perform certain work necessary in the orchards and on the farms—the primary processes, so-called—and that Asiatic labor in that particular is, therefore, non-competitive.

Opposed to the comparatively few who can profitably utilize the labor of the Orient are the white workingmen, who believe that the presence of large numbers of Japanese and Chinese laborers will tend to a reduction in wages and a lowering of the general standard of living. The leaders of union labor are particularly active in denunciation of Asiatic immigration. To the student of labor conditions on the Pacific Coast, it seems undeniable that the unrestricted entry of Japanese laborers would eventually destroy the home of the American workingman. They live together thickly in violation of all sanitary rules, and where they settle in numbers the American is forced to vacate. If he would, the white man could not live as do these aliens. Nor do the immigrants remain in the country districts, engaged in farm work; large sections of cities and towns are occupied by them and in many branches of labor they are in direct competition with the whites.

For the above and many other reasons there is rapidly crystalizing a sentiment, not only in the western part of the United States, but to an even more intense degree in British Columbia, that this portion of North America must remain "a white man's country." Californians are at present content to accept the assurances from Washington that this end can be attained by diplomacy. In the meantime the state government is taking steps to ascertain how many Japanese there are within its borders and whether they have ceased coming, as has been stated more than once.

There has been in the eastern states a very great misconception of the position of California with reference to the admission of Japanese to the public schools. Many of the hostile criticisms in the newspapers are predicated upon the assumption that the benefits of education were being denied children of Japanese parentage. This is erroneous. Boys born in America of Asiatic parents will eventually become voters, and California realizes, as fully as do any of its sister states, the necessity of having an intelligent, educated electorate. It is desirous of giving to them the same education that it does to white children. But the people of the state do object seriously to "Japanese school-boys" of eighteen years and upward attending the primary and intermediate grades and studying with white children many years their juniors. The Japanese code of morals is constructed on an entirely different principle from ours. The radical difference in the standards of morality may be illus-

trated by reference to the case of a Japanese boy who was criminally prosecuted last year for sending through the mails to a white girl schoolmate an objectionable letter. While such matters may be entirely proper in Japan, California does not intend to tolerate them, nor would any other state in the Union do so.

For many years the city of San Francisco has maintained a separate school for the instruction of Chinese children, with white teachers and the same course of study as in other schools of the city. Chinese parents have made no protest, but have generally agreed that separate schools are preferable. But when a proposition is made to have Japanese attend so-called Oriental schools a storm is raised which causes extreme agitation in Tokyo and in Washington and column upon column of denunciation in the press of both countries.

California claims that the government of its public schools is a subject purely within state control; that the federal government has no power to exercise any supervision over the matter; and the state proposes to regulate the schools so as to confer the greatest good upon the greatest number. There is no desire, except upon the part of a very few persons, to stir up race hatred. On the contrary, it is believed that separate schools would assist very materially in arriving at an intelligent solution of the problems involved, by removing one very serious cause of irritation.

The West is not unduly or at all excited over the question of immigration from Japan; it is only determined. It has heard from Washington that the Mikado's government is going to refuse permission to its subjects to come to the United States. It hopes this will be done, but it is somewhat dubious when it hears rumors from day to day of the vast numbers of Japanese who are debarking in British Columbia and stealing their way across the border. If the influx cannot be stopped in one way it can in some other, and the West is insistent in the demand that it be done by some means, and soon. The Pacific states comprise an empire of vast potentialities and capable of supporting a population of many millions. Those now living there propose that it shall continue to be a home for them and their children, and that they shall not be overwhelmed and driven eastward by an ever-increasing yellow and brown flood.

THE JAPANESE PROBLEM IN CALIFORNIA

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The object of the present paper is rather to state a problem than either to suggest a remedy or to assume the position of arbitrator between the conflicting interests. For many years the Japanese have been an irritation in California. For many years the newspapers of the state—and notably the San Francisco "Chronicle," a journal of responsible conservatism—have drawn attention to the increasing numbers of Japanese immigrants and the consequent injury to the interests of the country. Some five years ago these complaints came energetically to a head. Statistics were compiled from the scanty material at command, opinions were collected, and grievances stated, with the result that the Japanese question became an issue of magnitude.

California had already passed through a race agitation against the Chinese that at one time threatened a formidable convulsion. Was she upon the high road to another and a more dangerous protest against a people flushed with the successes of a great war and in no mood to tolerate adverse discrimination? The gravity of the issue made it difficult to halt between two opinions. The last legislature was nearly equally divided between the anti-Japanese who wished to impose various restrictions upon the Asiatics, and those who may not have been pro-Japanese but who were at least unwilling to do anything that might embarrass the federal government. The governor of the state and the speaker of the assembly threw their weight against the proposed legislation. Even the anti-Japanese press admitted that the time was inopportune for restrictions, and so the agitation temporarily subsided. That it will be renewed there cannot be the slightest doubt.

The discussion served many good ends. It gave cohesion and a voice to the interests that believed themselves to be specifically threatened by the Japanese invasion. It brought to the front also those other interests that held themselves to be directly benefited. It had the effect of arousing the serious interest of the Japanese

government and persuading it to energetic measures for the abatement of a nuisance dangerous to itself. The activities of the great immigration companies of Japan were discouraged and a system of passports was imposed upon the emigrating classes. Whether as a result of these measures or from other causes, it is certain that the incoming stream has been substantially lessened,—we shall presently see to what extent.

That there are classes who favor as well as disfavor the Japanese is an important point, and we have no right to assume selfish or unsocial motives either in one case or the other. If it can be urged against the labor unionist of San Francisco that he keeps exclusively in view his own wage scale and his class domination, so in the same way can the fruit grower be charged with an indifference to the well-being of the community at large so long as he can always find a sufficiency of underpaid Asiatics to do his work and to save him the expense of sanitation and of hygienic conditions. It is better to avoid the assumption of sinister motives.

San Francisco has had to stand the brunt of the Asiatic invasion and her voice is naturally the loudest. In many instances we need no deep research to see that the complaints are well founded. Japanese shoe repairing shops, for instance, are to be found dotted all over the city. Japanese laundries are nearly as numerous. There are hundreds of Japanese janitors, and Japanese house cleaners, while the invasion of other branches of activity is steady and persistent. Divisions of the city are becoming known as Japanese quarters, and Japanese stores in a chronic state of "selling off" are to be found everywhere. All these things mean the dispossession of white men. The Japanese shoe repairing shops are said without contradiction to be controlled and financed by a capitalist of Tokyo, who requires that each of his beneficiaries shall take an apprentice who will in due time start his own shop with his own apprentice. And all these things mean not merely competition, but underselling. The Japanese will enter into no trade agreement, he will respect no standard of prices. He is a law unto himself, and his only rule is to get the business at any and every cost. It is not surprising that the opinion among the wage earners of San Francisco is nearly unanimous. The presence of the Japanese trader means that the white man must either go out of business or abandon his standard of comfort and sink to the level of the Asiatic, who will sleep under

his counter and subsist upon food that would mean starvation to his white rival.

A glance at statistics, so far as they are available, will help us to understand the situation and to measure the danger. Conservative estimates of the number of Japanese now in California vary from 45,000 to 50,000. The general census report of 1900 gives the number at 10,151. The records show that the Japanese landed from foreign ports from October, 1899, to September, 1904, numbered 10,524. During 1903 and 1904 7,270 Japanese arrived from Hawaii, but there are no figures for Hawaiian arrivals for the two years ending December 31, 1903. During 1904 Japanese to the number of 672 arrived from Victoria, but there is no record from this source for the previous three years. For the two years ending September 30, 1906, the net increase of arrivals over departures at San Francisco was 13,658, and for the subsequent two years the increase was 1,213. These sadly incomplete figures represent a total of 43,488. Even were they complete there would still be no inclusion of the Japanese who enter unregistered or surreptitiously from Canada and from Mexico. They are certainly numerous.

The distribution of these people affords an explanation of the louder complaints emanating from San Francisco. Assuming the total to be 45,000—certainly underestimated—we find 12,000 in San Francisco, 6,000 in Los Angeles, 9,000 in the vicinities of Sacramento and Fresno, and 18,000 in all other parts of the state.

The year 1908 witnessed a marked decrease in the Japanese population, due partly to the numbers who returned to their own country and partly to the efforts of the Japanese government to restrict emigration. From October 1, 1906, to October 1, 1907, the net increase was 3,719, while from October 1, 1907, to October 1, 1908, we have a decrease of 2,506, the net result for the two years being an increase of only 1,213.

While opinion in San Francisco is nearly unanimous as to the undesirability of the Japanese as residents and traders, it must be admitted that there is by no means such unanimity among the fruit growers of the country districts. Labor is always hard to obtain upon the fruit ranch, and the Asiatic is frequently welcomed as an alternative to a partial loss of the fruit crop. The Bureau of Labor statistics furnish us with the opinions of 132 farmers upon the advantages of Japanese labor. Nearly all of them employ Asiatics,

but while some of them do so willingly the majority seem to make a virtue of necessity. Here are some half-dozen quotations from the reports, taken almost at random :

Whites, we regret to say, are the least dependable, and Japanese are only half as good as Chinese.

I find that the Japanese as a rule take care of their money and work steadier than the white laborer.

They (Asiatics) are very poor help to employ by the day or month.

I do not employ any Japanese. You cannot depend on them.

I have no use for Japanese. I like the Chinese better. You cannot depend on the Japanese: they will strike when you are busy and a contract with them don't amount to anything.

I have employed both the Chinese and Japanese on my ranch, and find that I like the Chinese the better, for if you are exceedingly rushed a Chinaman will not strike for higher wages and leave you in the lurch, as the Jap surely does.

I am opposed to the exclusion of the Japanese. We would be in a bad fix without their help. I prefer them to the kind of white men who apply for work,

Wherever we find comparisons between the Japanese and the Chinese it is always to the disadvantage of the former. A common practice is to rent the fruit orchard to the Japanese or to sell to them the standing crop, leaving all the responsibilities of harvest and market to the purchaser. Opinions as to the morality and reliability of the Japanese are nearly always adverse. Many of the reports complain that the Japanese never loses an accidental advantage, and never allows contract or promise to stand in the way of attainment. The need of the white man is the opportunity for the Japanese, and he never fails to take it.

It may be supposed that the 132 farmers who furnished their opinions to the Bureau of Labor are too few in number to form a basis for an adequate estimate of the general sentiment. That fact was doubtless taken into consideration by the last California legislature when it ordered the preparation of a census of all the Japanese in the state and the collection of information concerning them. These instructions are now being carried out and in the fullest way. Within a few months we shall have not only adequate statistics, but a very large mass of information upon well nigh every point of interest. We shall know how many Japanese are employed, the reasons for their engagement, the nature of the labor that they displaced, how

they are paid, lodged, and fed, their progress in social usages, their effectiveness, tractability, sobriety, and reliability. It is upon these returns that the action of the next legislature will be based, and it is certain that action of some kind will be proposed and vigorously sustained, although a continuance of the present decrease in the number of arrivals can hardly fail to have a modifying influence.

A word as to the school situation may not be amiss, for there can be no doubt that the effort to exclude Japanese pupils from the public schools has done more to wound Oriental susceptibilities than anything else. Moreover it has been effectively used in the East to show that the action of California was oppressive and unreasonable. It may be said at once that the Japanese children are well behaved and that there has been no criticism of their deportment, intelligence, or behavior. Indeed it is probably true that if all the Japanese pupils in the common schools had been bona-fide children there would be no complaint registered against them and we should never have heard of the schools question. But a great many of the Japanese pupils are not children in any sense of the word. They are grown men whose status in the schools depends of course upon their knowledge and not upon their age. The Japanese boy of eighteen or twenty years of age who can neither read nor write English must necessarily be assigned to the lower grades and placed in association with white children of a tender age. That fully grown boys, whether Japanese or not, should be placed in daily contact with girls many years younger than themselves is obviously undesirable. In the case of Asiatics it is felt to be still more undesirable, and this without any reflection upon the morals of the Asiatic, but with a recognition that his point of view is radically different. The white parent is unwilling that his little girl shall associate upon terms of comradely intimacy with a boy who may presently welcome from Japan the wife whom he has wedded through the kindly mediation of a photograph.

From such considerations, and not merely from a racial spleen, arose the first protests against the Japanese in the public schools. Popular ignorance helped of course to swell the chorus, and industrial jealousies played their accustomed part, but it is hardly surprising that the parents of San Francisco and of California in general should feel their primal rights to be infringed when they are told that they are not at liberty to invoke legislation for the pro-

tection of their own children in the schools that they themselves support at enormous cost. With the lack of such a power the principle of self-government would seem to have no meaning.

Up to the present time we have looked mainly at those classes of the community that are brought into direct contact with the Japanese, either suffering from their competition, or availing themselves, willingly or unwillingly, of their aid. But there is another class of the community whose opinions, more slowly aroused and perhaps less noisily expressed, must ultimately prevail. I mean that class whose training and environment enable them to take a comprehensive survey of the situation and to reach conclusions but little dependent upon the economic stresses of the moment. From this class come certain considerations worthy of grave attention.

According to the terms of the present laws of the United States Constitution the Japanese cannot be naturalized. They cannot become American citizens. An amalgamation, entirely foreign as it is to their own ambitions and perhaps to their potentialities, is expressly barred by the fundamental law of this country. It will be seen at once that a portentous situation is created by the presence in our midst of a large and increasing body of aliens of marked intelligence and ambition, who will not and can not merge with their environment, and whose natural clannishness serves still further to accentuate a dividing line traced alike by law, by nature, and by inclination. Is there not good reason to fear that a demarcation already marked by antipathy and by jealousy may speedily become one of hostility, and that we may even create an *imperium in imperio* dangerous to ourselves and fruitful of discord and dissension?

It is hard to determine what the status of such a caste must become. The precedent of the Chinese now in California does not help us at all. The Chinese exclusion law is rigidly enforced and the number of Chinese is decreasing, but it must be remembered that the Chinese temperament is wholly unlike that of the Japanese. The Chinaman dreads competition with the white man, and avoids it; the Japanese courts it. The Chinaman is entirely content to do those kinds of labor that the white man shrinks from; the Japanese wishes to meet the white man on his own ground, and to oust him from it. The Chinaman is willing to be a hewer of wood and a drawer of water; the Japanese has no aptitude for menial tasks nor

any intention of performing them except as stepping stones to his own high ambitions.

The Japanese in California must be either a successful competitor with the white man, or must be beaten in such competition by a lowering of the white man's standard of living, or he must be placed in a menial caste and kept there. Which choice is the greater evil? From the first two we shrink as we would from ruin. The third is perhaps the most insidious evil of them all and the most corrupting, and it is one moreover from which the Japanese himself will save us by his own ambitions. No community can remain free if it tolerates a clearly marked menial caste, if it allows the existence of such a caste to place a stigma upon any form of honorable labor. Already we see the marks of that stain upon the industries that the Asiatic has made his own. Already we see something like a "poor white" caste in the orchards and fruit fields of the state.

The Japanese problem is a thorny one. It will be solved not by popular clamor but by clear-headed statesmanship, and upon a basis of recognition that a moral principle is here involved and that our standard of right must be the ultimate benefit of the social organization that is our own.

A WESTERN VIEW OF THE RACE QUESTION

BY HON. FRANCIS G. NEWLANDS,
United States Senator from Nevada.

It is apparent that a change is necessary in our methods of dealing with the problem of undesirable immigration and the occasional disturbances growing out of it. The characteristic inertia of a great mass of people, naturally optimistic and easy-going, is nowhere more strikingly manifested than in their treatment of what is really one of the most vital and far-reaching problems with which we have to deal. If there is one question more than any other which requires the elimination of every consideration of opportunism, it is the one which involves the strains of blood that are to mingle in our descendants' veins, the competition which our laboring men must meet, and the maintenance of our high standard of comfort and social efficiency. Viewed in this light it is to be regretted that wise anticipatory action, of a character which might prevent the occasional outbreaks of race prejudice recently presenting such difficulties, has not been taken.

The race question is the most important one now confronting the nation. As to the black race we have already drifted into a condition which seriously suggests the limitation of the political rights heretofore, perhaps mistakenly, granted them, the inauguration of a humane national policy which, by co-operative action by the nation and the southern states, shall recognize that the blacks are a race of children, requiring guidance, industrial training, and the development of self-control, and other measures designed to reduce the danger of that race complication, formerly sectional, but now rapidly becoming national.

But as a resident of the Pacific Coast region, the problem of Asiatic immigration comes nearer home, and it is upon that subject that I will say a few words. Entertaining no prejudice against any foreign race, and particularly admiring the vigor, courage, and patriotism of the people of Japan, and disposed to advance rather than to thwart her career of national greatness, we of the West are yet profoundly impressed with the view that the United States,

possessing a vast territory as yet undeveloped and capable of supporting many times its present population, with natural resources unrivaled anywhere, with climates adapted to every people, will, with the cheapening of transportation, draw to itself the surplus population of all nations. Nature has classified the peoples of the world mainly under four colors: the white, the black, the yellow and the brown. Confronting us on the east lies Europe, with a total population of about 300,000,000 white people. We are finding it difficult to assimilate even the immigrants of the white race from that continent, and have been obliged to restrict such immigration.

Confronting our Pacific Coast lies Asia, with nearly a billion people of the yellow and brown races, who, if there were no restrictions, would quickly settle upon and take possession of our entire western coast and intermountain region.

History teaches that it is impossible to make a homogeneous people by the juxtaposition upon the same soil of races differing in color. Race tolerance, under such conditions, means race amalgamation, and this is undesirable. Race intolerance means, ultimately, race war and mutual destruction or the reduction of one race to servitude. The admission of a race of a different color, in a condition of servitude, is foreign to the spirit of our institutions, which demands equal rights to all within our jurisdiction.

The competition of such a race would involve industrial disturbance and hostility, requiring the use of a large armed force to maintain peace and order, with the probability that the nation representing the race thus protected would never be satisfied that the means employed were adequate. The presence of the Chinese, who are patient and submissive, would not create as many complications as the presence of the Japanese, whose strong and virile qualities would constitute an additional element of difficulty. Our friendship with Japan, therefore, for whose territorial and race integrity the American people have been in active sympathy in all her struggles, demands that this friendship be not put to the test by bringing two such powerful races, of such differing views and standards, into industrial competition upon the same soil.

This can be prevented either by international treaty or by national laws regulating, restricting, or even preventing immigration. International negotiation and treaty is, in my judgment, an unsatisfactory method. It requires a nation with which we have

treaty relations to prevent its own people from going where they will—a restriction which we would never apply to our own people in any treaty. We would, therefore, be asking another nation to put a restriction upon the movements of its people which we would refuse to prescribe regarding our own. There is but one consistent position to assume, and that is, to relegate the whole question to domestic legislation in each country, permitting each to make such regulation, restriction, or prevention of immigration as it sees fit.

Japan cannot justly take offense at such restrictive domestic legislation upon our part. She would be the first to take such action against the white race, were it necessary to do so in order to maintain the integrity of her race and her institutions. She is at liberty to pursue a similar course. Such action constitutes no implication of inferiority of the race excluded; it may even be a confession of inferiority by the excluding race, in its ability to cope economically with the race excluded. It involves neither insult nor the possibility of war, for Japan could not possibly sustain a war, even were her finances in better condition than they are, without the sympathy of the world as to the justness of her cause.

I am opposed to sporadic legislation, here and there, by the various states, intended to meet only local phases of what really constitutes a national peril, phases which will necessarily have to be covered by broad national legislation. I am opposed to terms of opprobrium and of insult. Japan deserves from us only respect and admiration, and we deserve from her a proper regard for the integrity of our race and institutions. The time has come, in my judgment, when the United States, as a matter of self-protection and self-preservation, must declare by statutory enactment that it will not tolerate further race complications upon our soil. Our country, by law to take effect upon the expiration of existing treaties, should prevent the immigration of all peoples other than those of the white race, except under restricted conditions relating to international commerce, travel, and education. It should start immediately upon the serious consideration of a national policy regarding the people of the black race now within our boundaries, which, with a proper regard for humanity, will minimize the danger which they constitute to our institutions and our civilization.

PART TWO

*The Argument Against Oriental
Exclusion*

UN-AMERICAN CHARACTER OF RACE LEGISLATION

BY MAX J. KOHLER, A.M., LL.B.,

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REASONS FOR ENCOURAGING JAPANESE IMMIGRATION

BY JOHN P. IRISH,

NAVAL OFFICER OF CUSTOMS FOR THE PORT OF SAN FRANCISCO, CAL.

MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING
ORIENTAL IMMIGRATION

BY REV. THOMAS L. ELIOT, S.T.D.,

PRESIDENT, BOARD OF TRUSTEES REED INSTITUTE, PORTLAND, ORE.

WHY OREGON HAS NOT HAD AN ORIENTAL PROBLEM

BY F. G. YOUNG,

PROFESSOR OF ECONOMICS AND SOCIOLOGY, UNIVERSITY OF OREGON, EUGENE,
ORE.

UN-AMERICAN CHARACTER OF RACE LEGISLATION

BY MAX J. KOHLER, A.M., LL.B.,

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The above title is designed to express condemnation of legislation discriminating against particular races, and hence the objections to special legislation, commonly called by the ambiguous phrase "class legislation," as far as based on *race distinctions*, will be here considered. Proper classification, and not race discrimination, ought to underlie legislation. As applied to immigration laws, this objection seems to have been first authoritatively formulated by President Roosevelt and his able Secretary of Commerce and Labor, Oscar S. Straus, in official messages presently to be considered, but in principle such legislation is really inconsistent with the fundamental basis on which our government rests.

The war against negro slavery in the United States was conducted upon this same principle. At the Republican National Convention of 1860, before Lincoln was nominated, Joshua R. Giddings moved that the proposed party platform be amended by incorporating therein the preamble of the Declaration of Independence, in order to indicate clearly that the anti-slavery campaign was merely in harmony with that great declaration of human rights and human equality, and after this resolution had failed on account of ultra-conservatism, George William Curtis renewed the motion in slightly modified form, "daring," in the language of his biographer,¹ "the representatives of the party of freedom meeting on the borders of the free prairies in a hall dedicated to the advancement of liberty, to reject the doctrine of the Declaration of Independence, affirming the equality and defining the rights of men; the speech fell like a spark upon tinder, and the amendment was adopted with a shout of enthusiasm."

Similarly, Charles Sumner, the father of our "Civil Rights" legislation, constantly invoked the principles of the Declaration of Independence in support of his proposed measures, as also in his

¹Cary's Curtis, pp. 134-5; compare Carl Schurz's Memorial Address in honor of Curtis, December 7, 1903.

appeal to strike out color distinctions from our naturalization laws, when the negro was being enfranchised, but the Mongolian was still being discriminated against. "It is 'all men,' and not a race or color, that was placed under protection of the Declaration, and such was the voice of our fathers on the 4th of July, 1776," he argued in the United States Senate on July 4, 1870.² So, also, in the leading case of *Yick Wo vs. Hopkins*, 118 U. S. 356, the Supreme Court of the United States, with Justice Stanley Matthews as its spokesman, followed the utterances of the fathers of the republic, in reversing a decision of the California Supreme Court, and determined that a San Francisco ordinance was violative of the fourteenth amendment of the federal constitution in providing that it should be unlawful for persons to engage in the laundry business within that city, without having first obtained the consent of the board of supervisors, except the same be located in a building constructed either of brick or stone, under cover of which Chinese laundrymen were forbidden to transact their business, unlike those of other races. Said the court: "The fundamental rights to life, liberty and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts Bill of Rights, the government of the commonwealth 'may be a government of laws and not of men.' . . . Class legislation, discriminating against some and favoring others, is prohibited, but legislation which in carrying out a public purpose is limited in its application, if within the sphere of its operation it affects all persons similarly situated, is not within the amendment." Even the form of the ordinance, which concealed its ulterior anti-Chinese purpose, was penetrated by the court, in ferreting out its illegal, discriminating character.

Curiously enough, little has been written even upon class legislation in general, much less concerning legislation based upon race discriminations. The agitation against such special legislation, though it has found expression within certain limits in the fourteenth amendment to the federal constitution, in federal statutes and treaties, and in constitutional provisions in various states, for-

²See works of Chas. Sumner, Vol. XIII, p. 482. See also XIV, 286, 301; XV, 355.

bidding anything except general legislation, upon various subjects, is, however, comparatively recent in origin, despite such isolated utterances as have been cited. Mr. Bryce, in his "American Commonwealth," writing in 1888, well points out that such prohibitions began to be adopted only during fifteen years preceding that date, approximately, and the fourteenth amendment was of course framed in consequence of our Civil War. The federal "civil rights" acts were passed to carry this amendment into effect, and various states thereafter adopted similar laws themselves. These restraints, such as they are, apply almost exclusively to our state governments merely, and do not affect the federal government or its agencies. Our "Bill of Rights" provisions were aimed at abuses with which the fathers of our republic were familiar, and excessive, unwise, discriminating legislation, was not then prominent among the evils thus to be avoided. In fact, we are all too prone, in these days of never-ceasing legislative activity, to overlook, in the language of Henry Sumner Maine, "how excessively rare in the world was sustained legislative activity till rather more than fifty years ago" (written in 1885), "that the enthusiasm for legislative change took its rise, not in a popularly governed country, not in England, but in France," and was quickened particularly by Rousseau's conception of the "omnipotent democratic state, rooted in natural right, which has at its absolute disposal everything which individual men value, their property, their persons and their independence," and by Bentham's plan of lodging legislative direction in the greatest number of the people, in the expectation that in employing this power in accordance with their will, they will legislate for and effect the greatest happiness of the greatest number.³

In fact, with the exception of discriminations against the negro, we had extremely few enactments based upon race distinctions upon our statute books until our Civil War period, and those that existed were nearly all survivals of the common law. Even our "Alien and Sedition Laws," adopted in 1798, largely through fear that we would be embroiled in the intense foreign wars then raging, which were proving so injurious to us and our commerce, were denounced in the Kentucky and Virginia resolutions drafted by such statesmen as Jefferson and Madison, and resulted in large degree in encompassing the ruin of the unpopular party which stood sponsor for

³Maine: "Popular Government," 2d ed., p. 127 *et seq.*

them, and did not encourage our chief political parties to attempt further legislation against aliens in general nor individual races in particular, even in the days of "Know-Nothingism."⁴ It is in fact true, generally speaking, that our legislative race discriminations have been confined almost entirely to enactments against the negro, against the Chinese, and latterly also against the Japanese. Though to-day our anti-Chinese laws happen to be largely federal in character, the structure of our government, with its checks and balances, has made the federal government the chief bulwark against such discriminatory legislation, thanks to constitutional provisions in the shape of the fourteenth amendment and treaties which under the constitution are the "supreme law of the land." Again and again have federal treaties with foreign governments been successfully invoked, from the beginning of our history on, to override state discriminations against aliens, including such common law disabilities as made an alien incapable of owning land.

The anthropologist tells us that the formation of the tribe or race was a step in the progress of man, and that originally, each tribe or race protected only its own members, and viewed all outside of its fold not merely with suspicion, but with dislike and hatred. In the progress of civilization the laws were recast so as to remove racial discriminations, and to protect all classes. This progress was effected largely through treaties with particular countries, granting their citizens and subjects full rights, until nearly all civilized men became united together by such ties, and race discriminations became rare exceptions. In fact, our own country, above all, has been in the van in combatting race antagonisms. Says Professor Shaler in his extremely suggestive book, "The Neighbor:"⁵ "As soon as an ethnic society is organized, it takes on many of the characteristics of the primitive animal individual, it lives for itself alone. Other groups of like nature are its enemies to whom no faith of any kind is owed. To plunder them is not theft, to slay those who are of them is not murder, they are outside of the pale of all obligations whatever. . . . The most significant peculiarity of the American people, that which in my opinion sets them more apart from the rest of the world than any other, is the relative absence

⁴See the interesting summary by John Bach McMaster of "The Riotous Career of the Know-Nothings," in his collection of essays entitled "With the Fathers."

⁵Pp. 42, 43-4.

of the tribe-forming motive among them. While in Europe there is a general tendency to disbelieve in all men, even of the same race, who are not well known—a humor which is least, but still discernible in Great Britain, and increases to the lands about the Mediterranean—in the United States there is hardly more than a trace of this humor and that appears to be steadily lessening. In general, the American is characterized by an almost unreasonable belief in the likeness to himself of the neighbor, however far parted by race, speech or creed. This is so strong that even the Civil War did not shake it; it served rather to affirm the mutual confidence.” Even Professor Shaler, however, notes certain exceptions to this tendency, notably in our attitude towards the negro, and to these should be added our anti-Chinese and anti-Japanese enactments.

As already indicated, the discriminations against aliens and particular alien races were originally removed chiefly by means of treaties with different foreign nations, but for most purposes, such treaties had become so general, prior to the organization of our country, that most of the common law disabilities had been regarded as removed, even independently of specific treaties, because of the growth of commerce and friendly relations between states. This circumstance is clearly indicated by such an early leading case as *Ormichund vs. Barker*,⁶ decided in 1775, where the right of a Gentoo residing in the East Indies to be sworn in an English lawsuit according to the ceremonies of his own religion, was sustained, despite early authorities to the contrary, because required by the modernized common law, which considers the requirements of an expanding foreign commerce. Despite Lord Coke’s statement that “all infidels are in law perpetual enemies, for between them, as with the devils, whose subjects they are, and the Christians, there is perpetual hostility and can be no peace,” Justice Willes remarked: “But this notion, though advanced by so great a man, is, I think, contrary not only to the Scripture, but to common sense and common humanity. I think that even the devils themselves, whose subjects he says the heathens are, cannot have worse principles; and besides the irreligion of it, it is a most impolitic notion, and would at once destroy all that trade and commerce, from which this nation reaps such great benefits.”

⁶Willes Repts., 538. Compare the very able recent opinion of the New York Court of Appeals written by Judge Cullen in *Brink vs. Stratton*, 176 N. Y. 150, holding it to be a violation of the Constitution to ask a witness if he is an agnostic.

There was, however, an occasional disability on the part of aliens which survived, such as incapacity to own land, and this was removed as to most foreign nations by treaties which our government entered into from time to time. These treaties, as will be further seen hereafter, have also nullified numerous state laws and even constitutional provisions, which have been enacted from time to time, to curtail the rights and privileges of various races which happened to become unpopular for one reason or another, notably the Chinese. Many of the decisions of the Supreme Court of the United States and other tribunals to this effect may be found collated in such works as Professor Moore's "Digest of International Law,"⁷ Butler's "The Treaty Power" and the numerous articles and treaties called forth by our recent Japanese separate school agitation, notably papers contained in the "Proceedings of the American Society of International Law at its First Annual Meeting, April 19 and 20, 1907." So common have treaties safeguarding rights of alien subjects become, that we have been compelled to insert in many treaties provisions according to subjects of particular countries all the rights of the most favored nation, with resulting complications with respect to particular "reciprocity" treaties or the like, which the courts have been compelled to hold granted special privileges for special considerations, and were not intended to be embraced by grants of all the "rights of the most favored nation."

But this particular form of "race legislation" scarcely falls within the scope of the present paper. Of course, our Supreme Court has held that our treaties cannot reasonably be construed as preventing the enactment of general statutes for the exclusion of alien paupers likely to become public charges or alien convicts or diseased persons.⁸ We have also, on occasion, made special provision in our treaties for the naturalization of aliens who are not covered by our general naturalization laws, for the latter were, curiously enough, limited to *white* persons originally, and the only other classes added thereto are persons of "African nativity or descent," so that the yellow races, including Chinese, Japanese, Burmese, Indians and others (but not the copper-colored native Mexicans), are generally regarded as incapacitated from naturalization,⁹ though this discrimination was doubtless intended originally

⁷Vol. IV, Sections 534-578.

⁸The Japanese Immigrant Case, 189 U. S. 86.

⁹Rev. St. U. S., Sec. 2169.

only against Negroes and Indians in tribal organization.¹⁰ This item further indicates how indefinite and uncertain the meaning of some of this race discriminatory legislation is, in view of ever-changing opinions as to anthropology and ethnic classification. Note, for instance, Professor Wigmore's scholarly article in the "American Law Review" (1894), "American Naturalization and the Japanese," denying that the Japanese are Mongolians, which would itself have disposed of the controversy on the California law for separate schools for Mongolians.

Reference has already been made to the fact that the leading exceptions to our general policy against race discriminations in legislation have been furnished by the negro, the Chinese and the Japanese races. As regards the negro, we built up a mass of discriminations running counter to our English common law of the most far-reaching and serious character which it required the sacrifice of blood and treasure of the Civil War to overcome. Many of these discriminations may be conveniently studied in Hurd's "Law of Freedom and Bondage." The fourteenth amendment to the federal constitution had the effect of making the most serious of these null and void, not merely in favor of the negro, but in favor of other races and classes also.

Following in the wake of this amendment, civil rights bills were enacted by our federal congress and in several of the leading states of our country, affirmatively forbidding, under heavy penalties, discriminations on account of race or color, even in the use of inns, conveyances, theatres, etc., clearly indicating our national attitude towards such discriminations, even on the part of quasi-public agencies. But some of these federal provisions were declared unconstitutional as an encroachment upon state power,¹¹ though as state enactments they have been quite generally sustained in jurisdictions which enacted them.¹² Numerous state enactments, discriminating against certain races, particularly the three designated

¹⁰Compare paper by the writer on "Naturalization and the Color Line" in the "Journal of Am. Asiatic Association," February, 1907.

¹¹The Civil Rights Cases, 109 U. S. 3.

¹²See *People vs. King*, 110 N. Y. 418; *Baylies vs. Curry*, 128 Ill. 287; *Commonw. vs. Sylvester*, 13 Allen (Mass.), 247; *Ferguson vs. Gies*, 82 Mich. 358; *Cyclopedia of Law and Procedure*, Vol. 7, p. 158, *et seq.*, "Civil Rights;" Vol. 8, p. 1073-4, *Constitutional Law*, "Equal Protection of Law;" *General vs. Special Acts*, Vol. 14, *Lawyers' Reports Annotated*, 583; 2 L. R. A. 577; 7: 194; 11: 492; 14: 566; 6: 621; 21: 789.

ones, have been held to be unconstitutional in state or federal courts because of the federal constitutional and treaty provisions referred to, or because violative of state constitutional provisions against special legislation and denials of equal protection of the law.

The fact remains, however, that a large number of statutory distinctions on race lines, particularly as applied to the negro, have been sustained, chiefly in southern states, on the theory that illegal "discriminations" are not involved, if equal but separate and distinct facilities for different races are afforded, with respect to street and railroad cars, steamships, restaurants, theatres, schools and the like. In justification of such enactments, applicable particularly to the Negro, reference has been made to alleged differences in education, character, standing and habits of the two races, and fear of endangering white man's control of our institutions and government, if any different course were pursued. The post-bellum cases are being analyzed and collated in an extremely interesting series of articles on "Race Distinctions in American Law," by G. T. Stephenson, in the "American Law Review," beginning with the January-February, 1909, issue, and one of them has also appeared recently in the "American Political Science Review" for May, 1909, entitled "The Separation of the Races in Public Conveyances." It is difficult, however, to escape the conclusion that they are inconsistent with the spirit of American government.

Our federal Chinese exclusion laws date from 1882 on, though we have had federal enactments against enforced, involuntary introduction of "coolies" from China, Japan or other Oriental countries from 1862 on.¹³ The decisions of the Supreme Court of the United States have repeatedly and emphatically recognized what was conceded in our diplomatic negotiations and in our legislative debates, that "it is the coming of Chinese laborers that the act is aimed against"¹⁴ merely, and the danger of competition from cheap coolie labor is the sole attempted justification for such laws requiring serious consideration.

Even in legislating for the exclusion of Chinese laborers, treaty faith and moral obligations required exemption of those who had *bona fide* come over in reliance upon the express provisions of the Burlingame Treaty of 1868 with China, whether laborers or non-

¹³See Rev. Statutes U. S., Sections 2158 to 2164.

¹⁴U. S. *vs.* Mrs. Gue Lim, 176 U. S. 459, 467.

laborers. By that treaty we had welcomed such immigration in express terms not paralleled in any convention with any other country, having even employed the opportunity to preach a text to China and the world concerning, to use the language of Article V, "the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantages of the free migration and emigration of their citizens and subjects, respectively, from one country to the other, for purposes of curiosity, of trade, or as permanent residents." We also guaranteed, in Article VI, to "Chinese subjects visiting or residing in the United States, the same privileges, immunities and exemptions in respect to travel or residence, as may there be enjoyed by the citizens or subjects of the most favored nation."

Exemption under the constitution also had to be made of persons of Chinese extraction born here. Alleged difficulties in the enforcement of these laws and attempted evasions thereof—scarcely sustained, however, by our official government census, which recorded 105,465 Chinese residents in 1880, 106,000 in 1890 and only 93,000 in 1900, with 70,000 the present official estimate of the Department of Commerce and Labor—led to legislation for the registration of all resident Chinese laborers, under heavy and previously unheard-of extra-constitutional penalties, and danger of arrest of all Chinese, on the claim that they should have registered, and stringent, often unobtainable, proof on the part of all non-laborers was demanded. The law was administered on the theory that only "teachers, students, merchants or travelers from curiosity" may enter. The exclusion of "bankers," "traders," physicians, actors, etc., because not affirmatively enumerated, was ordered. The determination by administrative officers of all applications to enter was made final, with no right of resort to the courts on the difficult and important questions of law and fact involved, even with respect to claims to American citizenship. Uncontradicted evidence was disregarded in a way not sustained in any other class of cases; arrest and detention and a shifting of the burden of proof upon defendants, wholly abhorrent to our Anglo-Saxon system of jurisprudence, was practiced and held to be constitutional, despite bills of rights, on the theory that the right to exclude and expel aliens may be pursued by extra-constitutional methods. In short, there was instituted a constant reign of terror for all Chinese or

alleged Chinese residents, laborers or non-laborers. Their liberty is constantly jeopardized by harsh and oppressive laws, and their property is accordingly also endangered under the sentiment thereby engendered that they are beyond the protection of our laws. Only one who, like the writer, has become familiar in practice with the injustice and barbarity of these laws in their actual practical workings, can realize that such practices can exist amid our boasted American civilization. The Chinese have little access to our public prints and have substantially no votes, and when even their officials, vehemently but righteously decline to join in doing honor to a military officer who had made an unauthorized extension of these anti-Chinese enactments to our new Asiatic possession, to breed such race prejudice on that continent, too, they become *persona non grata*!

Mr. Bryce, in his "American Commonwealth," published an interesting chapter entitled "Kearneyism in California," in which he showed how the unfortunate Chinaman became a victim of political exigencies which enabled his economic rivals, or rather persons who were led by interested leaders to believe that they were his rivals, to "deliver" control of the State of California to those who would most effectively discriminate against him. Already in 1855 and 1858 California passed laws to exclude Chinese immigrants, which its courts declared unconstitutional,¹⁵ and in 1878 the United States Supreme Court was compelled to declare unconstitutional a California statute, passed some years before, covertly aiming to exclude Chinese persons by state agencies,¹⁶ and both parties in the national election of that year demanded Chinese exclusion. Federal treaties and constitutional provisions annulled many hostile discriminatory state statutes and municipal ordinances, and it became obvious that federal legislation alone could accomplish this purpose.

President Hayes declined to yield to this clamor, in the absence of Chinese consent to a modification of the subsisting treaty, which would have been thereby violated, and vetoed a bill to restrict Chinese immigration for this reason on March 1, 1879.¹⁷ In his able veto message he said, even as to the time anterior to the Burlingame

¹⁵*People vs. Downer*, 7 Calif. 169.

¹⁶*Chy Lung vs. Freeman*, 92 U. S. 275.

¹⁷*Veto Messages of the Presidents*, p. 414.

Treaty: "Up to this time our uncovenanted hospitality to immigration, our fearless liberality of citizenship, our equal and comprehensive justice to all inhabitants, whether they abjured their foreign nationality or not, our civil freedom and our religious toleration had made all comers welcome," but, in the light of the new conditions, he pointed out that a remedy could properly be found only in the negotiation of a new treaty, to permit the restriction of Chinese immigration consonant with international faith. China was thereupon induced to enter into the treaty of 1880, by which she consented to measures by which the United States was permitted "to regulate, limit or suspend such coming (of Chinese laborers), but . . . not absolutely prohibit it," "the limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitation."

Under authority of this treaty we passed our first Chinese exclusion act, dated May 6, 1882, after President Hayes, on April 4th of that year, had vetoed another bill which violated the treaty, but the agitation did not cease. In 1884, under cover of "protecting" non-laborers, we violated the treaty by prescribing a statutory certificate for non-laborers, which is difficult to obtain, will not suffice if the officials made it out incorrectly in any way, or did not also authenticate a translation, and may be demanded as exclusive method of proof at any time, under penalties of arrest and deportation. Soon the theory of exclusive enumeration of non-laborers in this treaty of 1880 was developed, to bar "traders," "bankers," "manufacturers," etc., on the theory that they are not non-laborers.

The violations of treaty effected by the act were carried still further by the act of October 1, 1888, which invalidated our official return certificates, armed with which Chinese laborers or alleged non-laborers had gone to visit China on business or pleasure, and also prevented Chinese wives or children from joining or rejoining husbands or fathers.

This was followed by the well-known "Geary Law," with its requirements for registration under heavy penalties, and extra-constitutional methods of expulsion in addition to exclusion. It authorized arrest without warrant or oath, by methods unconstitutional in all other cases, and shifted the burden of proof to the defendant, in violation of our whole Anglo-Saxon methods of jurisprudence.

Then there came the act of November 3, 1893, giving an arbitrary and unjust definition of "merchant," and requiring white testimony, commonly impossible to secure, and proof of non-laboring by a "universal negative," which logicians teach us it is always impossible to establish. The act of 1894 made the decisions of the immigration officials—commonly ignorant, biased petty officials, acting as both advocates and judges—on the complicated questions of law and fact involved in applications for entry, whether right or wrong, non-reviewable in the courts, with the result that thousands of Chinese persons were unjustly dealt with, before the courts could decide some of these questions, in collateral proceedings, in their favor. Next the act of 1902 legalized the then subsisting situation as to the enforcement of these harsh laws in our insular possessions also.

The treaty with China of 1894, by which China is supposed to have consented to the Geary law provisions in a clause in unconscious irony describing them as passed for the benefit of Chinese laborers "with a view of affording them better protection," in return for authorization of return of Chinese laborers resident here, visiting China for brief periods under onerous condition, was terminated by China pursuant to its terms in 1904, making the violations of treaty faith guaranteed by the subsisting treaties of 1868 and 1880 worked by subsisting statutes, now still more glaring. As to the much-discussed exclusive enumeration theory of classes of non-laborers, who alone are permitted to enter, it is interesting to turn to the treaty negotiations themselves and to the testimony of Chester Holcombe, secretary and interpreter to this very treaty commission, to learn that no such result was intended, and the decision of Judge Ross to the contrary¹⁸ in California in *U. S. vs. Ah Fawn*, 57 Fed. Rep. 591, approved by the Circuit Court of Appeals of that Circuit in *Lee Ah Yin vs U. S.*, 116 Fed. Rep. 614, is of extremely doubtful correct-

¹⁸Holcombe: "The Question of Chinese Exclusion," "Outlook," July 8, 1905, and "Coolies and Privileged Classes," by the present writer, in "Journal of Am. Asiatic Association," March, 1906; on the general question of Chinese Exclusion, see also the present writer's paper in the "New York Times," Nov. 24 and 25, 1901, reprinted in Senate Document No. 106, 57th Congress, 1st Session; also his papers "Our Chinese Exclusion Policy and Trade Relations with China," "Journal Am. Asiatic Association," June, 1905, and July, 1905. See also Moore's "International Law Digest," Vol. IV, Sections 567-568; Butler's "The Treaty Power" and U. S. Senate Report and Testimony on Chinese Exclusion, No. 776, 57th Congress, 1st Session, 1902, as well as Letter from Minister Wu Ting Fang, printed as Senate Document No. 162, 57th Congress, 1st Session.

ness; the U. S. Supreme Court has never passed upon the question, and in fact seems to have thrown doubt on the correctness of the contention. (*U. S. vs. Mrs. Gue Lim*, 176 U. S. 459, 463.)

Both President Roosevelt and Secretary Straus have officially condemned the principle as unwise. Of course, however, both executive and law officers of the government find themselves compelled to follow these unreversed judicial decisions, especially in a matter having such important political bearings, even when against their own judgment. This circumstance accounts for much oppression in the enforcement of these laws.

It should, moreover, be remembered that even the Supreme Court is bound to enforce a statute, though it be clearly inconsistent with a prior treaty, despite our responsibility in the forum of international law and the resulting moral obliquity, and the court has several times contented itself with placing the responsibility where it belongs. One of the most serious consequences of such legislation is, moreover, the spirit it engenders of breach of national faith at the behest of supposed temporary expediency. Moreover, in making these laws peculiarly racial, by expressly making them applicable even to persons of Chinese extraction who are subjects of other nations,¹⁹ we have violated treaties with other countries as well, and run the risk of further international entanglements.

A reference in passing to recent statutes authorizing the expulsion, within three years after landing, of any aliens for alleged specified causes by mere administrative action, with right denied of judicial review, indicates how invidious is the atmosphere which engenders such legislation. It creates a dangerous condition for all aliens and alleged aliens, in placing their rights on an administrative footing inferior to those of citizens, contrary to the American spirit.²⁰ On the other hand, as regards Chinese residents, it should not be forgotten that the statutory discriminations against them and their testimony and their subjection to irresponsible petty executive officers, has created a spirit of disregard for their persons and property of a very far-reaching character, and has resulted in their often becoming the victims of official bribery and extortion, to which Oriental races may be peculiarly susceptible. This cannot be measured

¹⁹Sec. 15 of the act of July 5, 1884.

²⁰The Japanese Immigration Case, 189 U. S. 86, Justices Brewer and Peckham dissenting.

merely by the already appreciable number of convictions and dismissals of government officials for these causes, that happen to have taken place. It is but fair to say, in this connection, that there have been but comparatively few wholesale arrests of resident Chinese under our exclusion laws since the famous Boston raid of Sunday, October 11, 1902, when about 250 Chinese persons, in fact all the Chinese residents of Boston who could be found, were simultaneously arrested, nearly all to be subsequently discharged, after sustaining gross hardships and injuries. Hon. John W. Foster has ably described this contemporary imitation of the "Black Hole of Calcutta," and the large public meeting of protest in Faneuil Hall following it, in an article on "The Chinese Boycott," in the "Atlantic Monthly," January, 1906.

It was thought by the present writer than an account of the conditions created by these legislative race discriminations by one like himself, familiar with them for fifteen years might be more effective than any generalizations and abstract arguments.

Fortunately, the dangers from attempting to include the Japanese in these same special measures at the behest of a recently aroused anti-Japanese sentiment on the Pacific Coast have, for the time at least, been averted, by securing friendly action on the part of the Japanese government at home in the direction of preventing Japanese laborers from immigrating to the United States. This is accompanied by an enactment of general applicability, adopted February 20, 1907, for the exclusion of persons covered by Presidential proclamation, who are required by their own laws to secure passports to come to the United States. The reports of the Commissioner General of Immigration for the years ending June 30, 1907 (pp. 72-76), and June 30, 1908 (pp. 125-128), and of Secretary Straus for 1908 show how effective these regulations have been, not simply in excluding applying aliens of the class in question, but in preventing them from even applying or attempting to enter. In connection with proposed Japanese exclusion, Professor Royce's recent suggestive and ironical words are extremely apt:²¹ "The true lesson which Japan teaches us to-day is that it is somewhat hard to find out, by looking at the features of a man's face or at the color of his skin or even at the reports of travelers who visit his land, what it is of which his race is really capable. Perhaps the Japanese are not of the

²¹Race Questions and Prejudices and Other American Problems, 1908, p. 14.

right race; but we now admit that so long as we judged them merely by their race and by mere appearance, we were judging them ignorantly and falsely. This, I say, has been to me a most interesting lesson in the fallibility of some of our race judgments." So, also, in his extremely interesting and suggestive paper, "The Causes of Race Superiority," included in the ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, Vol. 18, 1901, Professor Edward A. Ross well said, before emphasizing the real elements of race superiority: "We Americans who have so often seen the children of underfed, stunted, scrub immigrants match the native American in brain and brawn, in wit and grit, ought to realize how much the superior effectiveness of the latter is due to social conditions."

To return, however, to the Chinese exclusion problem: It is apparent that the desire to exclude the Chinese laborer has worked incalculable harm both to them and to us, at least in excluding non-laborers and causing much unnecessary and unintended hardship. If cheap pauper labor, competing on unequal and unfair terms with American labor be involved, such labor can be excluded under general laws, not applicable to the Chinese merely, and not making exclusion the rule and a few enumerated classes of non-laborers the exception. It must be apparent, however, to justify even such reversal of our established beneficent and satisfactory American policy of a century and more, that the danger be general and continuous, and not temporary and spasmodic, and that it is one that cannot be cured by effective distribution, so as to deprive sections needing such labor badly, of the benefits to which they also are entitled. It should take reasonable form, and not be oppressive, unequal and confusing. Nor should it be dictated by spite and caprice, unworthy of a great state or nation, and designed merely to vex and annoy or to discriminate.²²

Fortunately, President Roosevelt, his Secretary of Commerce and Labor, Mr. Straus, and President Taft, while Secretary of War, have all expressed themselves emphatically on this subject in the

²²Note California's famous anti-queue law (*Ho Ah Kow vs. Nunon*, 5 Sawyer, 552); her anti-Chinese disinterment law (*In re Wong Yung Qay*, 2 Fed. Rep. 624); her special Chinese tax law (*Lee Ging vs. Washburn*, 20 California, 534), and constitutional prohibition of employment of Chinese by corporations (*In re Tiburcio Parrot*, 1 Fed. Rep. 481), and compulsory removal requirement to new sections (*In re Lee Sing*, 43 F. R. 359), and anti-Chinese-fishing law (*In re Ah Chong*, 2 Fed. Rep. 733).

direction of amelioration of our subsisting Chinese exclusion acts, and the substitution of general laws on the subject, and their utterances accord on this point with those of his Excellency Wu Ting Fang. In the course of an interesting address delivered by the last-named at Ann Arbor University more than eight years ago, the Chinese Minister well said: "The exclusion of Chinese is brought about, you are probably aware, by special and not by general laws. It is a discrimination against the people of a particular country. . . . If, however, it be considered advisable to legislate against the coming of laborers to this country, let such a law be made applicable to all Asiatics and Europeans as well as Chinese. . . . The Chinese immigration question is a complicated one. To solve it satisfactorily is not easy. It is necessary to look deeply into the subject, and not allow oneself to be swayed by prejudice and bias. Prejudice is the mother of mischief, and injustice, and all intelligent men should guard against it."²³ In any event, however, it is only the Chinese laborer that the laws are even intended to exclude, and the laws should obviously be recast so as to exclude merely this particular class and not the whole race, with only a few specified exceptions, making admission the rule, not the exception.

The Chinese boycott of 1905 against American goods called attention forcibly to China's deep resentment of our exclusion policy and of the serious injury it had wrought to our commerce and the imminent danger of reprisals. Our mercantile interests were therefore enabled to compel new and independent consideration of this policy on the part of President Roosevelt and his advisers. On June 24, 1905, President Roosevelt directed a vigorous letter to the State Department, requiring more humane treatment for the Chinese and caused the Department of Commerce and Labor to issue a circular to its subordinates to the same effect. The following October, in an address at Atlanta, he outlined his own policy in the matter, but pointed out that he cannot do all that should be done without action by Congress, action which has not yet been taken. In his message to Congress of December 5, 1905, he said: "In the effort

²³This address contains a very valuable discussion of the services rendered by the Chinese to America, and combats the economic arguments against Chinese exclusion. I quote it from a pamphlet entitled "Truth versus Fiction, Justice versus Prejudice," also reprinted in Senate Document No. 106, 57th Congress, 1st Session. See also his letter, Senate Document No. 162, 57th Congress, 1st Session, and also the able article by Ho Yow, late Chinese Consul-General at San Francisco, in the "North American Review," September, 1901.

to carry out the policy of excluding Chinese laborers, Chinese coolies, grave injustice and wrong have been done by this nation to the people of China and therefore ultimately to this nation itself. Chinese students, business and professional men of all kinds—not only merchants, but bankers, doctors, manufacturers, professors, travelers and the like—should be encouraged to come here and be treated on precisely the same footing that we treat students, business men, travelers and the like of other nations. Our laws and treaties should be framed, not so as to put these people in the excepted classes, but to state that we will admit all Chinese, except Chinese of the coolie class, Chinese skilled or unskilled laborers. . . . There would not be the least danger that any such provision would result in the relaxation of the law about laborers. These will, under all conditions, be kept out absolutely. But it will be more easy to see that both justice and courtesy are shown, as they ought to be shown, to other Chinese, if the law or treaty is framed as above suggested.”

Secretary Taft was the first official spokesman of the Roosevelt administration to express similar views, on the occasion of an address at Miami University, Oxford, Ohio, on June 15, 1905. He stated that we cannot escape the charge of having broken Chinese treaty rights by our legislation. In the effort to catch in the meshes of the law every coolie laborer attempting illegally to enter the country, we necessarily expose to danger of contumely, insult, arrest and discomfort the merchants and students of China who have a right to come to this country under our treaties. We must continue to keep out the coolies, the laborers; but we should give the freest possible entry to merchants, travelers and students, and treat them with all courtesy and consideration. Two years after the boycott, Mr. Straus, in his first report as Secretary of Commerce and Labor for 1907, said even more specifically: “It has never been the purpose of the government, as would appear from its laws and treaties, to exclude persons of the Chinese race merely because they are Chinese, regardless of the class to which they belong. . . . The real purpose of the government’s policy is to exclude a particular and well-defined class, leaving other classes of Chinese, except as they, together with all other foreigners, may be included within the prohibitions of the general immigration laws, as free to come and go as the citizens or subjects of any other nation. As the laws are framed, however, it would appear that the

purpose was rigidly to exclude persons of the Chinese race in general, and to admit only such persons of the race as fall within certain expressly stated exemptions—as if, in other words, exclusion was the rule, and admission the exception. I regard this feature of the present law as unnecessary and fraught with irritating consequences. . . . Laws so framed can only be regarded as involving a discrimination on account of race, and it is needless to point out that discriminations on account of race, color, previous condition or religion are alike opposed to the principles of the republic and to the spirit of its institutions.”

In his annual report as Secretary for 1908 he said: “The invidious distinctions, to use an apt phrase, now so apparent on comparing the treatment of necessity meted out to Chinese with the treatment accorded to aliens of other nationalities, in my judgment would not exist but for the fact that the subject of Chinese immigration is distinguished from all other immigration by being dealt with in a separate code of laws, involving a wholly distinct mode of procedure—a mode, moreover, which is at once cumbersome, exasperating, expensive and relatively inefficient. . . . Essentially the entire question involved in the admission or exclusion of Chinese is not a distinct and independent matter of legislative regulation, but in reality is merely a part of the larger problem of immigration.”

I cannot conclude better than to quote a stimulating passage recently written by Professor Royce, that distinguished psychologist and student of races, as to the dangers of race discrimination, in a paper on “Race Questions and Prejudices:” “Let an individual man alone, and he will feel antipathies for certain other human beings very much as any young child does—namely, quite capriciously—just as he will also feel all sorts of capricious likings for people. But train a man first to give names to his antipathies, and then to regard the antipathies thus named as sacred merely because they have a name, and then you get the phenomena of racial hatred, of religious hatred, of class hatred and so on indefinitely. Such trained hatreds are peculiarly pathetic and peculiarly deceitful, because they combine in such a subtle way the elemental vehemence of the hatred that a child may feel for a stranger, or a cat for a dog, with the appearance of dignity and solemnity and even of duty which a name gives. Such antipathies will always play their part in human history. But what we can do about them is to try not to

be fooled by them, not to take them too seriously because of their mere name. We can remember that they are childish phenomena in our lives, phenomena on a level with the dread of snakes or mice, phenomena that we share with the cats and with the dogs, not noble phenomena, but caprices of our complex nature."

REASONS FOR ENCOURAGING JAPANESE IMMIGRATION

BY JOHN P. IRISH,
Naval Officer of Customs for the Port of San Francisco, Cal.

Whether the United States should any longer encourage any immigration is doubtful. That the United States should treat all immigration alike is far less doubtful, since it implies a policy that makes for international peace and our own national dignity. Agitators, themselves of alien birth, originated opposition to Asiatics in California prior to 1860. In the legislative session of 1861 a committee that had been previously appointed to that duty, reported upon an exhaustive investigation of the effect here of the presence of Chinese. After a statistical statement and an array of economic facts, the committee said:

"We are confident that these facts will deeply impress you and our constituents, and it will be well to ponder them before any action shall be proposed that will have a tendency to disturb so important an interest, and drive from our state a class of foreigners so peaceful, industrious, and useful. Your committee trust that no more legislation will be had calculated to degrade the Chinese in our state."

That report settled the question for many years, until it became the subject of agitation on the "sand lot" late in the seventies. When that report was made the population of California was 379,994, of which 50,000 were Chinese, the only Asiatics then here. Carrying out the proportions of our present population we should have 300,000 Asiatics, but we have only 55,904 Chinese and Japanese combined.

Since the agitators have directed their efforts against the Japanese almost exclusively, it is noted that favor for the Chinese has risen. All of the arguments formerly made against them are now directed against the Japanese. It is of historical interest that these arguments are all taken bodily from the campaign of persecution of the Jews in continental Europe from the Middle Ages down

to modern times, when civilization and enlightenment effected the emancipation of that mistreated race.

As for immigration in general, we have acquired the habit of saying that none should be admitted with which we cannot assimilate. This has put upon our Anglo-Saxon blood the mighty task of assimilating the alien peoples of Southern and Southeastern Europe, and we are recently learning that assimilation is a bilateral process, and that the vast influx of those peoples who are in semi-racial accord with us, is diluting our original stock and that instead of assimilating we are being assimilated. Economic pressure has expelled European immigrants from their native soil, and they have resorted here in such numbers as to overcome our prepotency and even threaten changes in our institutions.

In view of this it is well to consider whether the charge that the Japanese are non-assimilable, and therefore should be excluded, has any merit. The Japanese are, like us, a temperate zone race, with a form of civilization high in its essentials and much older than our own. It is doubtful whether the term "coolie" in its usual sense applies to them. The common people of Japan, as we know them here, more nearly resemble the Irish peasantry than the East Indian coolie. They are very industrious, frugal, temperate and orderly, with quick wit and intellectual alertness. By the standards established by our immigration laws and the regulations for their enforcement, the Japanese are desirable immigrants, judged by the amount of money they bring with them, the percentage that seek aid in public hospitals and eleemosynary institutions, and their percentage of illiteracy. Upon these points the official immigration records give the following testimony:

MONEY PER CAPITA

Japanese	\$31.09	Polish	\$11.51
South Italians	10.96	Scandinavian	26.52
Irish	26.42	Slovak	13.75
Hebrew	15.36	Magyar	14.03

PER CENT RECEIVING PUBLIC AID

Japanese .....	.007	Greek .....	.81
South Italian .....	.73	German .....	.99
Irish .....	.52	Polish	1.04
Hebrew	1.62	Scandinavian .....	.3

PERCENTAGE OF ILLITERATES

Japanese	22.	Polish	36.
South Italian	54.	Hebrew	23.
Greek	24.	Russian	26.
Portuguese	68.	Lithuanian	54.

Labor and Wages

The Southern European immigration inveterately congests in our cities. The Japanese take kindly to rural life and productive farm labor. In California the Latin races are numerous in the coast cities. They skip the great valley, which is the seat of varied agricultural and horticultural production, and reappear in the Sierra foothills and mountains, around the mining towns and lumber camps.

In the delta of the Sacramento and San Joaquin rivers, and in the Great Valley of California, is the demand for rural labor which the Chinese formerly supplied, and, as their number decreases under exclusion, the demand is now met by the Japanese. The production of raisins, sugar beets, asparagus, onions, and other low growing field crops, and the fruit harvest, call for reliable labor, resistant to climatic conditions and able to sustain the stooping posture in which much of this work must be performed. So far American labor has not proved efficient or reliable in these occupations, and European labor is but little more so. But the short-backed, short-legged Asiatics have proved reliable in all this squat work which must be performed in a temperature of 100 to 110 degrees. They execute the needful primary processes in these forms of production, and thereby furnish commerce with merchandise which in its transmutation, transportation and exchange provides for American labor occupation at its own high wages, and for commerce its profit. This fact is recognized by the fruit growers of California, who, in their annual convention in 1907, by unanimous vote, demanded such modification of the Chinese exclusion law and of the anti-Japanese policy as would permit a certain immigration of both races.

A critical examination of the subject in respect to its industrial, economic and social phases, supports the legislative report of 1861, that the presence of Eastern Asiatics here is of industrial, economic and social benefit to the state. Japanese farm laborers have notable characteristics, of which their personal cleanliness is especially to be noted. They require facilities for a hot bath, and at the close of

a day's labor they bathe and change to dry clothing before eating dinner.

Japanese farm labor by the month exacts \$1.50 per day wages. The largest farmer and largest employer of farm labor in California is Mr. George Shima, a Japanese, who pays an annual rental of \$80,000 for lands farmed on the leveed islands in the delta of the Sacramento and San Joaquin rivers. In his vast operations he employs American, Japanese, Chinese and European labor, getting the best results by such co-ordination of labor. His American and European laborers are paid the going wage and are employed in the work that precedes and follows the primary processes of tillage performed by Japanese. His Japanese labor is paid by the year. His common laborers get \$250 per annum and "found" in their work clothing, diet and dormitory. His Japanese foremen are paid \$350 and found. In good years he pays to laborers and foremen a bonus in the nature of profit sharing. While he has brought about this co-ordination of labor, the system has now been adopted by American employers. The sugar beet fields are plowed, prepared and planted by American labor at high wages, using the best improved agricultural machinery. When the beets grow they must be thinned by hand and weeded for a space on each side of the row. This, being squat labor, is performed by Japanese and by Chinese when they can be had. The American labor reappears in cultivating the crop, riding, spring seated, on improved implements. At the harvest the Japanese reappear, and from that time on the crop furnishes highly paid work to American labor until it reaches the consumer.

Investors in the beet sugar business here insist that as the squat part of the work is performed when the temperature is high, it is so repugnant to American labor that Japanese are a necessity, and that by this co-ordination of labor only is it possible to develop this valuable resource of the state.

The Japanese standard of living in their own country of course cannot escape the economic law, but is fixed by the wages of labor. To this law all countries are subject. Up to the beginning of the Irish exodus to the United States, laborers' wages in Ireland were six cents per day, sometimes rising to eight cents. But the standard of living, long fixed by low wages, rose when the Irish came in contact with better conditions here. The same is true of the Japan-

ese. They live well. The laborers when at leisure dress well, in our costume. When one by two or three years' work has accumulated from \$500 to \$750, he is enterprising, and usually sees some overlooked resource in which he invests his savings and labor and advances rapidly. In all these respects he differs not at all from the immigrants from other low wage countries, except in his superior enterprise and greater adaptability. As farmers the Japanese excel. The lessons learned at home are applied here, and the land is made to produce crops, not weeds. No slipshod methods are followed, and Americans may beneficially apply the lesson they may learn of Japanese farmers.

Education

A very considerable percentage of Japanese laborers are students, eager to learn. When they acquire English and read it, their leisure is employed in reading our works on history, biography and science. This tendency is not observed in other immigrants. They laboriously work their way through our public school grades and universities by farm labor or domestic service. Of their qualities as students the following opinion is given by one of the oldest public school principals in San Francisco:

(1) I have had ample opportunities, in over twenty years' experience with Japanese students, to know whereof I speak, in all its bearings.

(2) No considerable part of these students are adults. Had the adult pupils ever reached as large a proportion as twenty per cent there would, years ago, have been protests from teachers and principals, and Japanese adults could and would have been excluded from elementary day schools, just as are other adults, without friction or objection.

(3) Japanese students do not crowd white children out of the schools. The San Francisco schools are not overcrowded. They never have been overcrowded, during the past twenty years, except in a few spots, and that for causes entirely outside this matter.

(4) The statement that the influence of the Japanese, in our schools, has had a tendency towards immorality, is false, and absolutely without foundation. From all I have ever heard in conference with other school men, as well as from my own continuous and careful observation, there has never been the slightest cause for a shadow of suspicion affecting the conduct of one of these Japanese pupils. On the contrary, I have found that they have furnished examples of industry, patience, unobtrusiveness, obedience, and honesty in their work, which have greatly helped many efficient teachers to create the proper moral atmosphere in their class rooms.

(5) Japanese and American children have been on good terms in my class rooms, and in others concerning which I am informed. They work

side by side without interference or friction, and often some Japanese student would be a great favorite among his American classmates.

(6) In all my years of experience, there has never come to me, orally or in writing, from the parents, whose children have attended my school, one hint of complaint or dissatisfaction concerning the instruction of their children in the same school, or the same rooms with Japanese. Nor has there ever been complaint or protest from teachers in regard to this co-education.

International Ethics

To include Japanese in the Chinese exclusion laws will raise grave international issues. Japan has adopted western civilization, and her civil institutions are tempered by the parliamentary system. Her jurisprudence is based on the common law and conforms to the English standard which is the foundation of ours. In science she has impressed the world by the results of original investigation. The world now has the means of escape from bubonic plague, because the Japanese bacteriologist, Kittesato, discovered the plague germ, revealed its biological progress and the means of its transmission from rodent to man. Another Japanese bacteriologist isolated the dysentery microbe and caused a reduction of fifty per cent in the mortality from that scourge of armies. The world cannot set the seal of inferiority upon a nation that has furnished such men. Nor can it afford to judge Japanese by the classes that are lowest in the scale.

Japanese friendship for America is of undoubted sincerity. When San Francisco was destroyed by earthquake and fire, and her people were in extremity, lacking food and shelter, Japan sent for their relief \$245,000, the only foreign nation that came to their rescue, though France has recently sent a medal.

Japanese business men and financiers resident here are in every way acceptable. Their home life is characterized by refinement and good taste. Their wives are ladies, many of them college graduates, who understand and observe the social conventions. The presence of this commercial and financial class is necessary to our trade with Japan. It is the destiny of that country to become to Asia what England is to the western world and to draw upon exports from the United States to an equal degree. Every consideration seems to counsel a policy of peace, good will and equality of treatment toward Japan. In the case of the Japanese, there is no room for race prejudice, but every inducement to a policy of justice and amity.

MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING ORIENTAL IMMIGRATION

BY REV. THOMAS L. ELIOT, S.T.D.,

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The middle Pacific northwest, so far, has not been invaded by Chinese and Japanese in large numbers, and, except for a brief agitation in 1886, our Portland community has had little share in the passionate oppositions which the advent of these peoples has caused farther south, and to a degree in the British north. This fact might at the outset seem to disqualify us in the present discussion. A Californian can say, with a certain truth, "Your conditions farther north are not as yet attractive to the Oriental. There are with you no exploitations of labor, no such exigencies of harvest times to draw laborers together in masses, and no organizations directly promoting immigration as there are with us. We have decidedly more manufactures and capitalization of irrigated lands. The cry for cheap labor is exigent, and we are therefore confronted with conditions of immigration from the east which appal us. This invasion is supplanting the white population, actually eating us out; and it is accompanied by all manner of moral and social degradations."

But, on the other hand, it appears to many of us that our southern friends by their very nearness to the problem are formidably biased in their judgment. In fact, the imagination of some of their leading writers has run riot. The proximate industrial disturbance and the irregularities of the newcomers are conjured into nightmares of the future Orientalization, not only of the western coast, but of America itself. Perhaps the most marked example of this "stage fright" may be seen in an article which appeared in "Collier's Weekly" some months since and has been widely copied and commented on throughout the entire country. The essay is entitled "Orientophobia," and is from the pen of one of the ablest and sincerest editors of the Californian press, writing from the midst of an area where the Japanese are colonizing most rapidly. It must be granted that the tone of Mr. Rowell's paper is forceful

and rushing—no one who is discussing the question can afford to pass him by. At the first perusal the facts recounted, the fears summoned up, the pessimistic drive and the prophetic warnings of the writer fairly sweep one along, and seem to compel assent. As an example of torrential eloquence, it is almost unequaled. Every subsequent perusal, however, led me to qualify its note and to distrust the author's generalization and conclusions. It dawns upon one that he is proving too much. There may indeed be a world crisis, the greatest since Thermopylae and Salamis, confronting the Pacific coast of America, and no doubt the whole case of the United States with the Negroes of the south, and the ceaseless stream of immigration from Europe, together with the threatenings of Oriental clouds presents a mighty problem; but why may it not be regarded as a challenge to all the higher forces of civilization for some safe and triumphant solution, rather than as a portent and depression? Is it a time for building Chinese walls, and shutting ourselves in as Japan once did, or is it an age of social engineering, for the invention of powers of control, adjustment, and distribution? What is there in the problem to daunt the trained intelligence, the wisest statesmanship and the social enthusiasm of the nation?

For, the one undeniable fact which seems to be emerging is that a certain growing number of Orientals is to be on our shores, partly floating, and partly to stay. It is almost equally certain that exclusion is frankly impossible, deportation impracticable, and the lines of restriction are more and more difficult to define. Others will discuss what may and ought to be done in order to regulate the quantity and quality of the immigration. No doubt careful legislation is necessary both east and west, and in the west, at least, labor immigration should be made the subject of more and more careful treaties and comities with China and Japan. But in the outcome, there will be an accumulation of these peoples, determined to be here by economic principles, and attaching themselves to the soil according to the industrial demands of city and country life. To the present writer it seems a fairly open question whether the ratio of Orientals to the rest of the white population will increase. Except for limited areas, there are with us on this coast no such conditions historically and economically as in the Hawaiian Islands—that is a problem to itself. A few checks and balances added to the present restriction laws ought to suffice for the maintenance of the

present ratio on the basis of the entire coast. At the same time the quality of the immigration might be advanced.

The real problem lies with the hosts rather than the guests; as a problem of resourcefulness, adaptation and character. Shall these immigrants be antagonized, solidified into a caste, driven in upon themselves, compelled by our very treatment of them to herd vilely, and live viciously, or shall there grow up among us in the interest of moral and social sanity a determination to minimize crass-race-prejudice, to dissipate the superstitions and ignorances of both whites and non-whites, and to set up assimilating processes as far as possible along the levels of individual merit and higher efficiencies? Shall we foster the very evil we dread, or shall we somehow foster the germs of good will? Shall our legislation be panicky and steady-by-jerks, or shall it be enlightened and progressive; shall the laws be administered evasively, or evenly, in the interest of peace and progress or of race and class conflict? Do not authors of articles like this "Orientophobia," all unwittingly perhaps, accent the notes of antagonism and invoke passion, mob violence and war with foreign powers, through their insistence upon a theory that race difference and repugnance are irreducible, and through their failure to note the real limits of the problem, or to count up the real resources of a true civilization? When they trumpet for a "white man's frontier," to be maintained if necessary by war and lines of garrisoned fortresses, they are but repeating what helped to foment the riots of the thirties against the Irish, and the opposition of the middle west to the "damned Dutch." In spite of their rude reception, these races, as well as the Scandinavian and other northern races, have been measurably assimilated without any sensible deterioration of the mass; the "hordes" of Southeastern Europe are, if we may trust reliable reports, in a similar process of assimilation, to be delayed, or to be hastened, in the measure that forces of sympathy and education prevail or are withheld.

Even admitting that Orientals are in a different class, what real reason is there for prophesying that they and white races cannot live upon the same soil, use the same language, and in time share each other's mental and social ideals? The process of co-operation will not be difficult when once the alternative course is fairly faced and its consequences fully realized in imagination. For the alternatives are sanguinary and brutalizing. It takes but little imagination

to depict the future if the Chinese and Japanese are given over to mobs, and are refused justice; if they are traduced, denied education and civic rights, if they are treated as animals, and are barred all humanities and amenities. For such abuses, both soon and late, there will be a fearful reckoning. A complete estrangement from us of eastern nations, with all that is involved of commercial loss, and the possibility of war, are the least of the evils thus invoked. The greater evil would be visited upon our national character, for in shutting our doors and persecuting inoffensive immigrants, we would have surrendered to mob power, and the mob yielded to always means increasing inhumanity and injustice poured back full measure into the bosoms of those who were their instructors. All the more would such retributions heap up for us, when the chief charge we can bring upon the Oriental, is that, class for class, he is cleaner, thriftier, more industrious, and docile, better bred, better trained, and better mannered than his white neighbor in the world of labor and life.

These views will be called academic, and whoever holds them ought frankly to admit his own limitations. The exclusionist and high restrictionist have the apparent advantage of figures and experience, and can always plead "the present distress." They seem on solid ground when they appeal to the instincts of race purity and of self-preservation. They alone, perhaps, realize the hardships and strains put upon communities and individuals, when the competition of labor seems to drive the better men to the wall. But it must be repeated, those who are mixed up with a problem do not always see the best way out. They cannot understand the need of sacrificing a nearer benefit, to the larger principle. Theirs is the shortsighted view perhaps in this very case, which once drove the Moors out of Spain to the lasting injury of peninsular civilization, which blinded all Southern France in the silk weavers' riots to fight the newly-invented loom; and which united the squireocracy and agricultural laborers of England against the first steam railroads. Economic history is full of such hardships of progress and sufferings of adjustment. The peril is always a great one, that sympathy with those who suffer, may blind rulers and peoples to greater coming good for greater numbers, including it may be even the present sufferers. In the very nature of society, if progressive, there is always a fighting line where the unskilled labor of society is to

be done, and another fighting line where the highest leadership is to be achieved, where the greatest principles of civilization are trying to win out. Over this conflict and friction, the will of the whole people as expressed in good government, in wise legislation, in impartial enforcement of the laws, in enlightened study of conditions should insure civilization against retrogressive steps.

The problem of immigration, especially in the shape in which it is presented to Western America, should be placed in charge of an expert governmental commission of the highest class, with ample powers, capable of patience and detachment from prejudice, in order to formulate all the facts and propose the practicable solution of how the civilization of the west and the east may meet, and how they may mingle—since mingle on some terms they must—with advancing good will and the mutual attainment of material, moral and social good.

This is the challenge that the situation presents to united America. The east as well as the west is concerned in answering it upon the highest lines of national and international harmony. When we ask ourselves what grounds of encouragement there are to hope that an honorable solution will be reached, it needs but to rehearse some of the achievements, over equally stubborn problems lying all about us, and to measure up the new pace which is set for education, for enlightenment, for solidarity of national sentiment, for new evaluations of human lives, and above all for the obligations of society towards its weaker members.

Civic consciousness is growing everywhere. The conviction that material wealth must be harnessed to great uses of state, that culture and knowledge of every kind constitute responsibility and must serve the public, the consciousness that every neglected class or individual endangers the mass and may poison any other individual or class, these are the dynamic truths pushing the imagination, stirring the wills of men. The social conscience which is leading the fortunate to give away so many millions yearly to endow colleges, libraries, hospitals, foundations of research; which creates the Nobel prizes, the Cecil Rhodes bequests, the Russell Sage trust and others is supplemented by state and municipal action in order to give cities nobility, comfort, beauty and wider opportunity. Who would have been bold enough to prophesy, even twenty years ago, that Boston would expend \$20,000,000 in a park system, and Chicago

would provide recreation halls and playgrounds for the common people costing \$10,000,000? Let some of the same conscience and trained intelligence be turned to conditions of immigration, promoting the welfare of the newcomer and providing adequate channels of distribution, let as much be done to make the immigrant more American, as is now doggedly done to keep him un-American, above all let as much be done to defend him from the pirates of sea and land who prey upon his ignorance and helplessness, as is now unhappily left undone—then should we not have a right to hope, at least, that our great problem would turn out a side to the light, and become illumined with human cheer?

WHY OREGON HAS NOT HAD AN ORIENTAL PROBLEM

By F. G. YOUNG,

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Early Oregon did not offer to the Oriental opportunities for exploitation that bore any comparison to those afforded by California. On the discovery of gold San Francisco became the great entrepôt to which all vessels from the Orient turned, and stray delegations from the swarming ports of China were soon borne to the new Eldorado. San Francisco's channels of trade and lines of employment yielded largest streams of gold,—the sole lure of emigrants from the Celestial Empire.

The dearth of women and children among the rapidly growing aggregation of adventurers that constituted the main body of San Francisco's population not only left open to the Chinaman just the vocations for which he shows special aptitudes, but created as well the strongest demand for his services. He came as the complement necessary to make immediately a community out of a horde of the gold-seekers of the fifties. In the older Oregon community to the north the conditions were those of a staid agricultural settlement, quite in contrast to those developed by the mining activities of California. Oregon was made up of transplanted households of home-seekers. It afforded neither an opening nor a considerable demand for the Oriental's services. There was no lure of high wages nor large earnings in any line of employment, nothing to compare with the attractions which the California metropolis held out.

The main lodestone that was soon to draw the large influx of Orientals to California was the gold-bearing gravel beds back of San Francisco along the streams of the Sierras. John Chinaman quickly learned that the income secured through washing these was even larger than the returns from washing dishes or clothes down in the city. So to the recesses of the mountains he flocked and soon accumulated a hoard with which he returned to his native land and became the cause of the coming in turn of many others. Oregon's first instalment of Chinese was received as soon as the placer diggings within her southern borders were disclosed. To these they

came in numbers to constitute a considerable proportion of the early population of her sparsely settled southern counties. But they came direct from California and thither returned without obtruding themselves on the main body of Oregon's population in the Willamette Valley to the north.

Naturally at first Oregon's ratio of Orientals, compared with that of her neighbor's to the south, was small. In the later fifties and sixties, while there was still great activity in placer mining in California, the proportion of Chinese among her population was at least ten times as great as that of Oregon. From the later seventies on, however, the California percentage has not been twice that of Oregon and the census figures for 1900 make the comparative number in California barely larger than that of Oregon. It is to be noted that with a quota of Mongolians constantly growing, so as relatively to be almost equal to that of California, the public mind in Oregon has remained calm while in California there has been continual repudiation.

A more impressive illustration of the comparative equanimity of Oregon in view of her situation is, however, afforded through a comparison of Oregon's quota of Orientals with that of Washington on the north. Oregon has always had a larger contingent of Chinese and Japanese in her population than Washington—and generally it has been two or three times as large. Outbreaks in acts of violence have occurred there, while the people of Oregon have regularly maintained conditions of peace and order.

At no time has public feeling in Oregon run so strong against the Oriental as in the communities to the north and south. Except once or twice, when stirred by sympathy with what was happening among her neighbors, Oregon can hardly be said even to have had a consciousness of the problem. There has been only sporadic agitation instigated by emissaries from without, and no riotous outbreak.

It thus becomes an interesting question to account for a response, so in contrast, to a situation she has largely in common with her neighbors. Oregon's serenity is probably partly due to certain social characteristics of her people and partly to the peculiar circumstances attending the presence of the Orientals within her borders. Oregon has never had any considerable element of ignition tinder in her population in the form of a large body of floating wage-

earners. With such present, and a large element of Orientals, occasion for a conflict is sure to arise. The presence of such elements in San Francisco after the completion of the Central Pacific Railroad and the oncoming of the depression of the early seventies, and likewise in Tacoma and Seattle after the finishing of the Northern Pacific in the period of stagnation in 1885, was necessarily fraught with trouble. A congregated mass of idle white men feeling the pangs of want would resent the slightest competition on the part of an alien race. It would be treated as an intruder. Permanent prejudice would be engendered. When Tacoma effected the expulsion of the Chinese and a faction in Seattle undertook the forcible deportation of them in February, 1886, Portland naturally was stirred. The balance of influence was, however, so clearly on the side of law and order that the mischief-making forces desisted. Because of the slower and more steady development of Oregon no large number of homeless wage-earners have ever been caught adrift here. It is to the absence from her population of a large admixture of such inflammable elements that the lack of any heat of resentment against the Chinamen within her borders is to be attributed. No experience of trouble, no inter-racial clashes from such sources brought to her thought the consciousness of an Oriental problem.

A contributing factor making for immunity from the consciousness of such a problem—and one also of a negative character—is, or rather was, to be found in the sluggish commonwealth spirit in Oregon. The menace to the standard of living of the laboring classes involved in the presence of a considerable body of Orientals has of course been patent to the thoughtful. These have discerned, too, the burden and blight in the presence of an alien social element. But until recently very little facility has been possessed by any class for securing concert of movement for the public welfare. Neither the agency of the state government nor voluntary organization could be brought into requisition for the discussion, investigation and improvement of a social condition. The Oregon people, or any contingent of them, were slow to get together in co-operation for the public welfare. So there was no anticipation of a problem from conditions not wholly normal.

Turning now to the peculiar circumstances that have attended the presence of the Oriental in Oregon: The objective conditions have all been of a nature to leave the resentment of the white man

unaroused. As already mentioned, the first influx sought the placer mines of Southern Oregon. The jealousy of the white miner was shown in a heavy special license tax upon Chinamen engaged in mining and absolutely prohibitive fines upon any trading by them. A constitutional provision adopted in 1857 debarred them from the ownership of mining property. The irritation caused by their presence must, however, have been mollified by the substantial revenues collected from them for a decade in four or five southern counties.

Oregon, in common with the other Pacific coast and intermountain communities, has not been able to draw to any extent upon European immigrants for domestic and other menial services. The manning of the salmon canneries, the furnishing of garden truck for the cities, and the supplying of the "section hands" for the railroads, have also been occupations for which the white wage-earners of this part of the country had no relish. Such vocations were freely accorded to the Mongolians. The Oregon quota of Orientals year in and out has just about sufficed to meet the demand in these undesired employments. The Chinaman has been aptly termed "the nigger of the coast." However, he is far above the Negro in habits of industry, cleanliness and other virtues, and brings no troubles upon himself through pernicious political aspirations. Representative captains of industry here have even urged that there should be a change from the exclusion of the Chinese laborer to a policy of a limited immigration for a term of years in order to supply a desirable labor force for expediting the clearing of areas for farm crops.

Under the present operation of the exclusion policy towards the Chinese no apprehension whatever is felt about them. It is the Japanese whose incoming is not so securely barred and whose power of organization is effective that are regarded as a very probable menace to the future peace and highest destiny of the Pacific coast. They are rising in the industrial scale and are securing leases and even ownership of real estate. Few will deny that if they are given an equal chance with the white man here their stronger social cohesion and more effective co-operation would win for them a permanent foothold. The rapid extension of the fruit growing industry in Oregon would also furnish an opportunity for which the Japanese in California have proven that they have strong adaptation. So with regard to the Japanese, while it can hardly be said that there

is the consciousness of a problem yet in Oregon, it must on the other hand be confessed that to throw open the doors to the inhabitants of Nippon and to order commonwealth affairs wholly on a commercial basis, would probably develop in a few years a situation fraught with a problem of no slight proportions.

PART THREE

*National and International Aspects
of the Exclusion Movement*

TREATY POWERS: PROTECTION OF TREATY RIGHTS BY FEDERAL GOVERNMENT

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THE PROBLEM OF ORIENTAL IMMIGRATION IN THE STATE OF WASHINGTON

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THE EFFECT OF AMERICAN RESIDENCE ON JAPANESE

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CHINESE LABOR COMPETITION ON THE PACIFIC COAST

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THE LEGISLATIVE HISTORY OF EXCLUSION LEGISLATION

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HOW CAN WE ENFORCE OUR EXCLUSION LAWS?

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ENFORCEMENT OF THE CHINESE EXCLUSION LAW

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TREATY POWERS: PROTECTION OF TREATY RIGHTS BY FEDERAL GOVERNMENT

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Mr. Bryce in his "American Commonwealth" points out that the Federal Constitution as it now stands, "with the mass of fringing decisions which explain it, is a far more complete and finished instrument than it was when it came fire new from the hands of the convention."¹ The truth of this assertion is evident to the student of our constitutional law. At the same time it must be remembered that, while the Supreme Court has "fringed" much of the text of the constitution with explanatory decisions, there yet remain many parts, and these by no means always of comparative unimportance, which have never been interpreted by the court, or on which there is still much room for speculation, in spite of the fact that they have been interpreted to some extent by our supreme judicial tribunal. Again, the fact that the framers did not attempt to describe the manner in which the powers conferred on the different departments of the federal government should be exercised, and "the laudable brevity" of the constitution have been made, and justly, the subject of favorable comment. But here, too, we must admit, that though the skill with which the constitution was drawn makes it one of the really great achievements of our race, it is not equally perfect in all its parts. Brevity and the statement of general principles not only may but do, in parts of the constitution, degenerate into intolerable uncertainty as to the real principle intended to be enunciated. In dealing with more than one subject of vital importance the language and the arrangement leaves room for wide speculation. As a result of this inequality in the skill of construction and in the amount of judicial interpretation, though we can ascertain with great particularity the answer to almost any question pertaining to certain clauses of the

¹Third Edition, Vol. I, page 254.

constitution, as, for example, the clause which gives Congress the power to regulate interstate and foreign commerce or the clause prohibiting the states from passing a law impairing the obligation of contracts, we are unable to give even a reasonable guess as to what would be the answer of the Supreme Court to many questions—and some of these of first importance—pertaining to other parts of the constitution. Unfortunately, there is perhaps no part of our fundamental law which is open to such diverse interpretation and which has received so little illumination from the court as that which relates to the treaty-power.

The second clause of the second section of the second article of the constitution provides that the President, "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." The second section of the sixth article provides: "This constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitutions or laws of any state to the contrary notwithstanding." What is the nature of this treaty-power conferred on the President and Senate? When a treaty is negotiated and ratified does it become of its own force "the supreme law of the land" or is an act of Congress approving it or expressing its provisions necessary to give it the force of law?

It has been assumed by most of those who have studied the constitution that the very words of that document show that it was supposed by the framers that treaties would be self-executing. Thus, the second section of the sixth article treats the constitution, the laws of the United States, and treaties, as three distinct and separate sources of "supreme law." The second section of the third article, in conferring judicial power on the United States, also assumes the existence of these three distinct sources of "law," declaring that "the judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." Any doubt, however, which might exist on this subject has apparently been put at rest by the Supreme Court, which has, in a number of cases, regarded treaties as the "supreme law,"

though no act of Congress had been passed sanctioning their provisions.²

When we turn from the nature of the treaty-power to its extent we find greater possibilities for divergence of view. At the same time even here there is a general agreement on certain propositions. In the first place, it is apparently beyond question that the grant of treaty-power in the second article of the constitution is much more sweeping than the grant of legislative power in the first article. Congress is declared, not to have the power to make laws, but merely the power to make laws on certain enumerated subjects. On the other hand, the President and Senate have the power "to make treaties," the subject of a treaty, as far as the second article is concerned, being left entirely to their discretion. At the same time there is also a substantial agreement on the equally self-evident proposition that the constitution, like a contract between a principal and his agents, must be read as a whole, and that there may be, and are, limitations on the treaty-power to be found in other clauses of the constitution. For instance, the amendments from the second to the eighth inclusive enunciate certain individual rights and declare in general terms that these rights shall not be infringed. The rights so protected can no more be disregarded in a treaty than in an act of Congress. Again, the constitution provides to a certain extent for the organization of the federal government. The first article deals with the selection, organization and power of Congress; the second, in a somewhat similar way, with the executive; and the third, with the judiciary. It is admitted by all that the treaty-power can no more be exercised to alter this organization established by the constitution than the organization so established can be altered by an act of Congress. Neither can a power granted by the constitution, as the power to regulate interstate commerce, be in anywise modified by treaty. This, of course, is not saying that the treaty-power cannot also deal with those things over which Congress is granted legislative power. The question whether the powers granted to Congress over certain subjects exclude the exercise of any control of

²*Chirac v. Chirac*, 2 Wheaton's Reports, 259 (1817); *Orr v. Hodgson*, 4 Wheaton's Reports, 453 (1819); *Hughes v. Edwards*, 9 Wheaton's Reports, 489 (1824); *Carneal v. Banks*, 10 Wheaton's Reports, 181 (1825); *Hauenstein v. Lynham*, 100 United States Reports, 483 (1879).

these subjects by treaty is another and a different matter on which there is much difference of opinion. But all admit that a treaty regulating commerce which provided that Congress should have no power to alter its provisions by subsequent legislation would be, to the extent of this proviso, null and void.

There are many provisions in the constitution, however, the effect of which, if any, in limiting the treaty power is open to dispute. As an example of this class, we may take the second to the seventh clauses of the ninth section of the first article. The sixth clause, for instance, provides: "No money shall be drawn from the treasury, but in consequence of appropriations made by law." Suppose a treaty provides that a sum of money shall be paid; could the President take the money from the treasury without the sanction of an act of Congress? The writer would give a negative answer to this question, and such answer would be in accordance with the uniform practice of our government. At the same time, it can with some reasonableness be urged that these prohibitions are part of the first article of the constitution; that this article in its preceding sections has dealt only with the organization and power of Congress; that the first clause of the ninth section in terms prohibits, not all departments of the federal government, but "Congress" from interfering with "the migration or importation of such persons, as any of the states, now existing, shall think proper to admit, prior to the year one thousand eight hundred and eight"; and that, therefore, the prohibitions in the remaining clauses of the ninth section should be construed as limitations on Congress only. On the other hand, the prohibitions contained in these clauses are not in terms confined to prohibitions on legislative action, and that the evidence taken from the rest of the first article is not sufficiently conclusive to show an intent that they should be so limited. The tenth section prohibiting, as it does, the states from entering into "any treaty, alliance, or confederation," and from passing "any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts," shows that "law," whether by treaty or by act of Congress, is dealt with in the first article, and indicates that any restrictions in the article which are not in terms restrictions on Congress or the states should be regarded as general restrictions on all departments of the federal government.

A more difficult and doubtful question, however, is whether

any or all the powers granted to Congress in the eighth section of the first article are or are not exclusive? This question in any of its possible phases has never come before the Supreme Court. The practice of the government, when the question has arisen, has been to act as if the powers of Congress over matters entrusted to it by the first article were exclusive, and that a treaty dealing with any of these subjects, as, for instance, a treaty regulating custom duties, must have the sanction of an act of Congress before it can be regarded as the "law of the land." Even then if the power over imposts is, as contended, exclusive in Congress it is improper to call the treaty the "supreme law;" the "supreme law" is rather the act expressing or approving the terms of the treaty.³

To the writer the constitution of the United States should be interpreted from the point of view of an instrument creating for the people different agents on matters of vital importance. General treaty power is given to certain agents, the President and the Senate; particular legislative power is given to Congress. Whether any particular grant of power to Congress over a subject is to be taken as prohibiting an exercise of any control over that subject by the President and Senate in the form of a treaty, should depend, when there is no express direction in the constitution, on the nature of the subject. If it is a subject ordinarily only dealt with by legislative bodies, then it is reasonable to assume that the particular grant of control to Congress withdraws that subject from the treaty power. Now the great majority of the subjects over which Congress is given control fall under the category of subjects practically never dealt with by treaty. For instance, the power to lay and collect taxes, to coin money, to establish post offices and post roads, to constitute inferior judicial tribunals, to make rules for the government of the land and naval forces, all of these subjects and many more, control over which is granted to Congress, have rarely if ever been made the subject of contract between nations. Control over them having been given to Congress, we may infer that it was intended that the control should be exclusive. On the other hand, foreign commerce is a common subject of treaty and the

³For a history of the practice of the government see "Limitations on the Treaty-Making Power of the President and Senate of the United States," by Prof. Wm. E. Mikell, reprint from *University of Pennsylvania Law Review*, pages 13 *et seq.*

mere fact that Congress is given the power over foreign commerce should not be interpreted as curtailing the President and Senate from exercising a similar control in a treaty.

Whether the reasoning above indicated is or is not sound, whether the treaty power has or has not the right to deal with all or some or none of the subjects over which Congress has legislative power, though questions of importance, are not questions of fundamental or vital importance. Treaties require for their ratification a two-thirds vote in the Senate. It is unlikely that a treaty desired by two-thirds of the Senate would be disapproved by a majority of the House. It is probably easier to secure the passage of an act of Congress which requires only a majority in both houses than to secure the ratification of a treaty. We may be also fairly certain that a sufficient number of senators will always be found to adopt the theory that all powers granted to Congress are exclusive, to prevent the ratification of a treaty which deals with any subject entrusted to Congress by the first article of the constitution without the passage of an act authorizing the treaty. The questions are not of fundamental importance because their decision one way or the other does not deprive the United States of the power to make agreements with foreign countries touching all matters delegated to Congress. If such agreements cannot be made by treaty, they can be embodied in an act of legislation.

A far more vital difference of opinion arises over the question whether there are any limitations on the treaty power arising from what are known as the reserved powers of the states. The preservation of these "reserved powers" was the object of the tenth amendment. The amendment provides: "The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." Those reading this amendment in connection with the first and second articles of the constitution seem to follow one of two trains of reasoning. The intellectual descendant of Jefferson argues: The government of the United States is one of delegated powers. True, it has the power to make treaties; but on what subjects? It was not the intent of those who adopted the constitution to confer on the federal government power over their local affairs and police. The tenth amendment prohibits such an inference. Those who assert that the federal government has that power must show some

express grant. What are the powers delegated to the United States? They are those powers conferred on Congress by the first article, and, by necessary implication, the power to deal with matters external to the states. The schools of Hamilton and Marshall base their conclusions on a literal interpretation of the words of the constitution. That the United States is a government of limited power is admitted, but it is pointed out that the powers granted are to be determined, not by a supposed intent, but by the words used. The President with the concurrence of two-thirds of the Senate has power to make treaties. The tenth amendment treats of powers not delegated to the United States. The treaty power is delegated and, therefore, by the very words of the amendment outside its scope.⁴

The decisions of the Supreme Court in as far as they have involved the question should be noted. In *Chirac v. Chirac*,⁵ the court held, that the treaty of 1800 between the United States and France giving to French citizens the right to inherit land in the United States, superseded the law of Maryland which denied this right. Here is a decision that the federal government by treaty can deal with a subject not proper for federal legislation, and which relates to a matter which is not external to the states. More recently the Supreme Court in the case of *Hauenstein v. Lynham*⁶ held, in spite of a law of Virginia to the contrary, that a citizen of Switzerland had, under our treaty with that country, the right to the proceeds of the sale of land in Virginia. These are the most important cases, though there are others of similar import.⁷ In none did counsel or court contend that the federal government had not the right to negotiate the treaty or that when ratified it was not the supreme law of the land. Judge Swayne in *Hauenstein v. Lynham*, above cited, states the attitude which, without the felt necessity for explanation and defense, has always been taken. He says, "In the able argument before us, it was asserted upon one side, and not denied on the other, that if the treaty applies its efficacy must necessarily be complete. The only point of contention was one of construction."

⁴If the reader is anxious to examine the view first expressed he will find it set forth with pains and skill by the writer's associate, Prof. Mikell, in the article referred to, *supra*, note 3. The second view has recently been stated and defended by Senator Root. See 1 *American Journal of International Law*, 273.

⁵2 *Wheaton's Reports*, 259 (1817).

⁶100 *United States Reports*, 483 (1879).

⁷See cases cited, *supra*, note 3.

From these decisions we may conclude that it is settled law that the treaty power can be so exercised as to confer on aliens rights to property in the states which could not be conferred by act of Congress. They also settle in the negative the sweeping contention that the tenth amendment prohibits the treaty power from dealing with all matters not delegated to Congress and relating to the internal economy of the states. A treaty can be negotiated and ratified which will supersede state laws relating to rights of private property. On the other hand, it has never been held by the Supreme Court that the tenth amendment has no effect in limiting the treaty power. The question, for instance, whether the treaty power can be so exercised as to supersede state laws relating to health and morals has never been decided. It is true that there is apparently nothing in the text of the constitution to warrant a line being drawn between the power of the states to regulate the acquisition of real property, and the power to pass laws relating to gambling or diseased cattle, so that one could logically hold that the tenth amendment did not prevent the first class of laws from being superseded by treaty, but did prevent the last two classes of laws from being superseded. Law, however, is not necessarily logic; and besides, it must be remembered that a present member of the Supreme Court who believed that *Chirac v. Chirac* and *Hauenstein v. Lynham* proceeded on erroneous principles in disregarding the tenth amendment, while he might feel bound to follow these cases in a case presenting substantially identical facts, is not bound to follow what he regards as a wrong principle to all its logical consequences.

But even if we should regard the decisions which we have quoted as settling, forever, that the treaty power is in no wise limited by the tenth amendment, there is still another line of reasoning which renders uncertain the constitutionality of a treaty which would deal with matters subject to the police power of the states, using the term police power as including all laws which relate to the morals and the health of the people or their governmental organization and public activity. The constitution assumes the existence of the states. The states are as necessary a part of our federal state as the national government. All this is generally admitted, and from these admitted premises many students of the constitution draw the inference that any power granted to the federal government is subject to the implied limitation that it must not be

so exercised as to destroy a state. It is probable that any treaty which affected the organization of a state government, which attempted to alienate without the consent of a state, part or all of its territory, or which gave to aliens the right to share in the property or services of a state, as the right to use the public parks or the right to attend the public schools, would be considered unconstitutional. Whether a treaty which gave rights denied by the laws of a state passed to protect the morals or health of its citizens would be constitutional to a person holding this theory of implied limitation of power is not so certain, though it is likely that a treaty which permitted an alien to reside in a state, contrary to the opinion of the state that he being white, or yellow, or black would contaminate the morals of the people, would be regarded as tending to destroy the state, and therefore by implication beyond the power of the United States to make the supreme law of the land. When once a person adopts the theory of grants or limitations of power which arise, not from the text of the constitution, but from "the nature of things assumed to exist by the constitution" he is embarked on an uncertain sea whose boundaries will depend on his instinct, or, at the best, on shifting theories of the essential nature of our federal state. The judiciary with their power to disregard acts or treaties contrary to the constitution become more than the interpreters of a written instrument; they become the self-appointed guardians of a spirit of the constitution which the framers omitted to embody in the letter.⁸

The Supreme Court as such has never said that these implied limitations on treaty power exist, but several individual members of the court have, in the past, denied the power to override the police laws of the states, though it is not clear whether the judges referred to took this position because of the tenth amendment or because of some theory of implied limitation of power.⁹ The question is one of profound importance. If the treaties which run counter to state police regulations are not the supreme law of the land, any act of Congress which runs counter to a state police regu-

⁸For a discussion of this particular question see an article by the present writer in 55 *American Law Register*, entitled "Can the United States by Treaty Confer on Japanese Residents in California the Right to Attend the Public Schools?"

⁹See license cases, 5 *Howard's Reports*, 504, opinion of Daniel, J., p. 613; of Woodbury, J., p. 627; of Grier, J., p. 631; of McLean, J., p. 588. For other opinions along similar lines, see passenger cases, 7 *Howard's Reports*, 283.

lation is also of no effect. There is nothing, for example, peculiar in the power of Congress over interstate commerce, which would enable a law within the scope of this power, to override a law passed within the scope of the states police power, if a treaty within the apparent scope of the treaty power could not have that effect.

This summary of the uncertainties surrounding the extent of the limitations on the treaty power of the federal government shows the state of unfortunate confusion which exists as to its limitations. It is possible for one to hold any one of three theories:

First.—That as a result of the tenth amendment matters subject to the legislative power of the states, and not subject to any legislative power conferred on Congress are not subject to the treaty power.

Second.—That the treaty power is impliedly limited by the dual nature of our federal state; that the power cannot be so exercised as to interfere with the police powers of the states, using the term "police power" as including control over the organization of government, public property, public services, morals and health.

Third.—That the treaty power is not limited either by the tenth amendment or by any implied reservations arising from the nature of our federal state.

A fourth position is possible; namely, that the treaty power is limited by the tenth amendment as indicated in the first proposition, and also impliedly limited as indicated in the second proposition. The great practical difference in the results flowing from the adoption of one rather than another of these theories, will be seen if we apply each in turn to treaties purporting to confer rights on aliens.

Under the first theory we can by treaty confer on aliens the right of travel in any part of the United States, but not any rights of a resident in a state. The power of Congress to regulate interstate and foreign commerce has been given an interpretation sufficiently wide to make an act, and, therefore, under the theory a treaty, a regulation of commerce which relates to the journeying of persons, whether foreigners or citizens between the states, or between the United States and foreign countries. But a treaty guaranteeing to an alien any rights of residence or any protection as a resident would be beyond the federal government to make effective, because a law purporting to protect a citizen of the United States, resident

in a state, from assault is beyond the power of Congress to enact, and, therefore, under the theory beyond the treaty power. Likewise, a treaty purporting to confer on the citizens of a foreign country, being resident in that country, the right to make contracts with the citizens of the United States would be constitutional, because such contracts would also come within the power to regulate commerce with foreign nations; but once let the foreigner become a resident of a state, and if the laws of that state denied to foreigners being residents, the right to contract or to obtain property, or placed special restrictions on their commercial intercourse, no treaty could protect them. Their only redress, and it would be one of very doubtful efficacy, would be that portion of the first section of the fourteenth amendment of the constitution which provides; "nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law."

If we adopt the theory that the treaty power is limited by the very nature of our federal state, and also that as a result, the power cannot be so exercised as to interfere with the exercise by the states of their police power in the sense in which we have defined that term, any treaty conferring on aliens rights of travel, or residence would be powerless to confer on an alien the right of travel or of residence in any particular state except subject to those rules which the state regarded as necessary to preserve the morals, health and safety of its citizens. For instance, a state law which arbitrarily excluded all foreigners might be superseded by a treaty admitting the citizens of a particular country, but a state law which obliged all persons of African descent to reside in particular parts of a city, or to ride in "Jim Crow" cars would apply to a negro subject of Great Britain, traveling in that state, even though a treaty in terms stipulated that all persons being subjects of Great Britain should in traveling and residing in the United States, be subject only to those laws and regulations which pertained to white American citizens. In short, he who believes a treaty cannot supersede a state law passed under its police power might admit that a treaty would require a state to treat an alien, except as to political rights, as if he were a citizen, but he would probably claim that a treaty can confer on an alien no greater rights than those he would have if he were a citizen of the United States.

Lastly, if we adopt the theory that the tenth amendment in no wise limits the treaty power, and also deny any implied reservations on that power not found in the text of the constitution but arising from the nature of the federal state called into being by the adoption of the constitution, then all treaties granting to aliens rights of travel or residence in the states, or guaranteeing to them while residents protection from injury, and even treaties conferring rights in conflict with the police laws of the states, and vesting foreigners with the right to use the public property and obtain the public services of the states, would be constitutional. Of course, that treaties giving many of the above rights to aliens would be constitutional does not mean they might not violate that spirit of respect for local desires which should always influence the exercise by the national government of the powers entrusted to it. That a treaty which would override the reasonable laws of a state passed in good faith to protect the health or morals of her people, could be negotiated under present conditions by any President, or ratified by a two-thirds vote of any Senate is unthinkable. But the fact that a power may, theoretically, be abused is not an argument that it ought not, still less that it does not, exist. Generally, any power entrusted to government adequate to meet critical emergencies in legal theory may be used to defeat the very ends, the preservation of the nation, for which it was conferred.

When we turn from the nature and extent of the treaty power to the extent to which the federal government can protect rights granted by treaty we approach a subject on which, fortunately, there is little room for radical difference of opinion. The third section of the second article makes it the duty of the President to "take care that the laws are faithfully executed." He is also, by the second section of the same article, made "commander-in-chief of the army and navy of the United States." If a treaty is self-executing, it has when ratified by two-thirds of the Senate the force of law, and the President in the exercise of his constitutional duty "to take care that the laws be faithfully executed" has the right, unless prohibited by Congress, to use as a means to this end the army and navy of the United States. Congress by law may indicate the occasions when the army and navy shall be used, but in the absence of legislation the President has, under the constitution complete discretion to use the military forces of the United States to execute

its laws, subject only to the limitation that he cannot violate any general prohibition expressed in the constitution, as the prohibitions expressed in many of the amendments.

The President in executing his duty of enforcing a treaty, as in enforcing any law, is not limited to the employment of the military. He can use any other means which Congress has seen fit to place at his disposal. Thus, if Congress has created a secret service, and not by express provisions confined its use to subjects other than the enforcement of rights guaranteed by treaty, the President has the right to use the service to discover plots which if carried out would violate those rights.

Again, the President can call to his assistance any person or persons willing to lend such assistance. For instance, if a mob in one of our cities were about to assemble at a station to prevent aliens from getting off the trains on which they arrived, contrary to a treaty giving to them the right of travel in the states, the President could call "on all law-abiding citizens" to protect, by force, if necessary, the right of the aliens to leave the train. The citizen responding to the call would, of course, be liable if in attempting to enforce the treaty he violated a legal right. It is, to say the least, doubtful if Congress by legislation could prevent the President from securing voluntary assistance in the exercise of his constitutional duty to enforce law.

Finally, the President has the right to use any appropriate legal process for the enforcement of law, and therefore of treaties. The judicial power of the United States, by the second section of the third article "extends to all cases in law and equity arising under treaties made, or which shall be made, under their authority." But the extent to which any court of the United States may act depends wholly on affirmative congressional action. Congress not having made the violation of a right conferred by treaty a crime, the courts of the United States have no criminal jurisdiction over any alleged violation; and the President is at present without power to institute any criminal proceedings for the violation of a treaty right. Again, there is at present no law which gives the President a right to institute a suit for civil damages for the violation of such a right. General equity jurisdiction has, however, been conferred on the courts. By general equity jurisdiction we mean that jurisdiction which was exercised as a matter of custom by the High

Court of Chancery in England. In the main the nature of the jurisdiction is preventive. A person threatened with the violation of a right for which no adequate remedy in a suit for damages exists may bring a "bill in equity" praying that an injunctive order issue to restrain the threatened violation. By custom also, the attorney-general of England on behalf of the state could bring bills in equity to redress certain public wrongs. When, therefore, it is said that the courts of the United States have general equity jurisdiction we imply that the attorney-general of the United States may at the instigation of the President and on behalf of the United States bring any bill which the attorney-general of England could bring on behalf of the English government in the High Court of Chancery. The customary equity jurisdiction does not extend to all public wrongs; that is to say because an act is a violation of law does not necessarily enable the attorney-general to bring a bill in equity for its restraint. But by custom the jurisdiction of a court of equity does extend to the restraint of those wrongs which injure public property or which amount to a public nuisance. The word nuisance in this connection has received a wide interpretation. It means any act which prevents a number of persons in a community from exercising a right. If, therefore, a treaty guaranteed to all the citizens of Great Britain rights of residence in the United States, and we regard such a treaty as within the power of the President and Senate, if one Englishman resident in a state was denied those rights by anyone or more persons being private persons or officers of the state, a court of equity, while it might restrain the violation of the treaty at the private suit of the Englishman affected, would not entertain a bill in equity brought on behalf of the United States by the attorney-general. To give the attorney-general a right to bring the bill, a special statute requiring the federal courts to take jurisdiction would have to be passed. On the other hand, if there existed a movement on the part of one or more persons in a state to deprive all English subjects of the rights guaranteed to them by treaty, then such movement would constitute a public nuisance and the President could require his attorney-general to bring a bill in equity to secure an injunctive order restraining the wrong.

We have so far spoken of the power of the President to enforce a lawful treaty in the absence of any legislation by Congress

especially designed to insure obedience to treaties on the part of all persons within the United States. It is as certain as any proposition can be which has not been directly formulated by the Supreme Court in a case involving its application, that Congress has been given by the constitution power to pass any law legitimately designed to strengthen the enforcement of any treaty which it is within the power of the President and the Senate to make. The eighteenth clause of the eighth section of the first article not only gives to Congress the right "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers"—meaning the legislative powers conferred in the preceding seventeen sections—but it also confers the right to make all laws which shall be necessary and proper for carrying into execution "all other powers vested by this constitution in the government of the United States, or in any department or officer thereof." The power to enforce the laws of the United States is a power vested in the President.

Acts designed to secure the enforcement of law may be roughly classed under three heads: administrative, penal and procedural. An act which would place at the disposal of the President, officers whose special duty it was to guard the persons of aliens would fall under the first class; a penal statute would be one which provided for the imprisonment or fining of anyone who violated any right given by treaty. Under the last head would fall any act which extended the jurisdiction of the courts of the United States in cases involving alleged violation of treaty rights, or any act which directed the procedure to be followed in any such case. For instance, an act which enabled the President to direct the attorney-general to bring a bill in equity for an injunctive order to protect an individual alien threatened with a violation of a right conferred on him by treaty would fall under this class.

Of course, these statutes must not violate any prohibition contained in the constitution. The administrative statute must not authorize those "unreasonable searches and seizures" prohibited by the fourth amendment; the penal statute must not deny to the accused "a speedy and public trial," contrary to the sixth amendment, and the procedural statute must not confer original jurisdiction on the Supreme Court contrary to the second clause of the second section of the third article. But within the limitations men-

tioned it is almost impossible to think of an act reasonably designed to enforce a treaty that would be unconstitutional.

That the act must be "reasonably designed to enforce the treaty" is clear. The constitution does not say that Congress shall have power to make any law which *it thinks* necessary and proper for carrying into execution a power vested by the constitution in any department or officer of the government, but merely that Congress shall have power to make those laws which shall be *necessary and proper* for carrying into execution a power vested. Under this grant Congress has a wide choice of means to be used; but the means must bear some reasonable relation to the end, which is the execution of the power, and the Supreme Court has the final right and duty to pass on the question whether the means used bears sufficient relation to the power to make it within the right of Congress to select that means to enforce the power. Take as a concrete instance: A treaty guarantees protection to aliens traveling in the United States. A federal statute making it a crime to attack an alien, as such, while traveling, contrary to the right conferred by the treaty, would be without question a proper means of enforcing the treaty. But suppose the act should go farther than this and make anyone who wilfully injured an alien subject to indictment. As in terms the statute supposed does not require that it must be shown that the accused knew that the person he injured was an alien, if A in a quarrel kills B, not knowing that B is an alien, he would, nevertheless, be indictable under the statute. The constitutionality of such a statute is far from certain. The end,—the enforcement of the treaty,—and the means,—the punishment of one who killed another whom he did know was an alien,—would, at least, in the opinion of the writer, fail to bear sufficient correspondence to sustain the act. The question, of course, is an academic one. It is not likely that Congress will ever in our day do more than make the wilful attack on aliens, as aliens, criminal.

Thus, the means which are unquestionably within the power of the federal government, if properly used, would appear to be ample to enforce all treaties. The doubts, and they are many which surround the subject we have discussed, are, as we have seen, as to the extent of the treaty power, not as to the right of the United States to maintain respect for, and punish violations of, those treaties which it may lawfully make.

THE PROBLEM OF ORIENTAL IMMIGRATION IN THE STATE OF WASHINGTON

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One of the oldest legends of Japan tells of the sun goddess, Amaterasu, how she sulked and shut herself up in a cave till all the world was dark and fear possessed the hearts of men. Myriads of deities, the story goes on to say, did their best to induce the goddess to reappear, but without success. At last came the deity *Thought-Includer*, child of the *High-August-Producing-Wondrous-Deity*, who hatched a plot. Outside the door of the cave the conspiring gods made so mighty a noise, dancing and singing, that the goddess could not forbear opening the door ajar. Then they flashed in her face a wonderfully polished mirror, showing the goddess to herself, and while Amaterasu admired they closed the cave behind her. So the land again had light. The opening of Japan to intercourse with the outside world through the epoch-making visit of Commodore Perry has certainly in many respects brought Japan face to face with a new epoch in her history and has had results which those who lured forth the sulking goddess could scarcely have anticipated. A nation once out of the box is not easily to be recaptured and re-imprisoned.

The awakening of Japan is the awakening of the whole Orient. The huge bulk of China is responding as certainly, if more slowly, to the influences of western civilization as the more impressionable Island Empire. Already we perceive the feverish starts, the "impatient nerves which quiver while the body slumbers as in a grave."

This awakening at the present time finds few skeptical as to its significance. Professor Percival Lowell indeed, writing, however, before the Russo-Japanese war has endeavored to belittle its interest for ourselves by speaking of the Oriental civilizations as worn-out, decadent, exhausted. He has made himself believe that reaching the Pacific they have found Nirvana. But such an attitude can only remind us of the Japanese story given in a book of Buddhist ser-

mons,—the story of the frog who journeyed from Tokio to see Kyoto and, reaching a mountain top midway, stood on tiptoe to view the western capital. He saw only the city he had left—for *his eyes were in the back of his head*. Recent events have more strongly than ever emphasized the fact that the Orient has by no means as yet satisfied itself with Nirvana. It is becoming more and more evident that, whether we are considering the general question of state policy towards an Oriental country or whether we are considering some local problem, such as that of immigration, which indirectly affects the general international situation, it is necessary to take this into account. The apparently isolated question of immigration is, like Thor's drinking horn, connected quite inevitably with the ocean of international considerations.

The attitudes of men with regard to the facts of Oriental development may quite reasonably vary. Some may, like the eloquent author of "The Torch," be bracing their souls to the contemplation of the distant future, when American civilization shall have played its part in the world's making and we, more or less resignedly, shall have to pour the accumulated treasures of history into the lap of the Eastern world.

Others may look at the whole matter, even from the American standpoint, optimistically, seeing in the meeting of east and west the completion of Hegel's great circle of spiritual development, the day's work of the "Ewigzeitgeist." Others again may view the future fearfully. As Anaxagoras unrolled before the Athenians the map of Anaximander, while he harangued them on the danger of the Persian advance, so these may lift up the cry of the "Yellow Peril" and color with alarmist pigments the counsels of statesmen and the editorial utterances of the press.

Whatever the attitude adopted, the country needs, even for the discussion of local problems, a broad appreciation of facts. On July 12, 1852, Mr. William H. Seward pointed out that two civilizations which had parted company four thousand years ago on the plains of Asia were meeting again on the Pacific. Hence, he added, "the Pacific Ocean, its shores, its islands and the vast regions beyond, will become the chief theatre of events in the world's great hereafter."

We need to remember this, especially in the State of Washington, which in some ways is more closely connected with the Orient

than any other part of the country. That is why it has seemed necessary to preface what is here said with regard to Oriental immigration with a certain amount of generalization. The problem of immigration is a small one apart from its connection with the general problem of our national relations with China and Japan and the bearing of these relations upon the still larger question of world politics. As Darwin traced the failure of white clover in Australia to the killing of the cats which left the mice free to eat the bumble bees by means of which the clover was fertilized, so some small local prejudice against a Japanese laborer or storekeeper on the Pacific Coast may set in motion the machinery for a war embroiling the nations of two hemispheres.

With such portentous possibilities it is a real relief to confess that, so far as the State of Washington is concerned, there is no great cause for alarm. Whatever may be the temperature in British Columbia to the north and in California to the south, there is no hot blood, at the moment of writing, in Washington. Indeed, to some the discussion of the subject as a "problem" has seemed academic. A friend, speaking of the excited attempts of a very small group of exclusionists to rouse feeling on the subject, is reminded of poor Hood's pathetic remark, when they put the mustard plaster on his emaciated chest, "Don't you think there is a great deal of mustard to very little meat?" Twenty-five years ago there was considerable feeling as to Chinese immigration, the day of the Japanese was not yet, and riots took place in Seattle and Tacoma which have so far prevented any large Oriental migration to Tacoma. There are now no Chinese in that city and only 664 Japanese.

But there is little trace of the old bitterness. Here and there we have prejudice and dislike. Over-sensitive mothers fear an immoral influence from Orientals in school with their children. Exclusion leagues sporadically put forth their posters, "Fire the Japs," but the proceeding is half-hearted and suggests the need of the exclusionists themselves being "fired"—with enthusiasm, if they are to make their cause a live issue. There can be little question that the general public sentiment of the State of Washington is fairly well expressed in a recent editorial of the "Post-Intelligencer" (Seattle), as follows:

"In an extensively advertised article by Mr. Will Irwin, of San Francisco, 'Pearson's Magazine,' printed in New York, undertakes

to tell 'Why the Pacific Slope hates the Japanese.' The title of Mr. Irwin's article is rather too broad, for to undertake to explain 'why' the Japanese are 'hated,' is to assume hatred of the race as a fact, and that is error of a rather mischievous sort.

"It is obviously illogical to assume that because some Americans on this coast hate some Japanese, or because some Americans hate all Japanese, that, therefore, on this coast all Americans hate all Japanese.

"Mr. Irwin is perfectly competent to speak for that portion of San Francisco which has been under his immediate observation and study; but he is not authorized to speak for Washington, or for the city of Seattle.

"Washington is a part of the Pacific Slope; but so far as the vast majority of the men and women of this state are concerned, there is no hatred of the Japanese, no prejudice against the race, and no unkindly feeling for members of the race who now reside in this commonwealth. On their own account, they are perfectly welcome here.

"But aside from the inherent worth of good Japanese who have settled in this city and state, a vast majority of the people of Washington believe that these citizens of Japan should be accorded every right, privilege and immunity vouchsafed them in the solemn stipulations entered into by the United States government and the government of Japan.

"There may be Japanese problems in California; there is none here. There may be hatred of Japanese in California, but there is none here, and 'Pearson's' should be fairer and juster in its conclusions than to put Washington in a false attitude."

It is worth noticing, moreover, that during the recent visit to the Pacific Coast of the Japanese training squadron, under Vice-Admiral Ijichi, while in Vancouver, B. C., under the flag of Japan's ally, sufficient hostility was shown to prevent a parade of Japanese sailors under arms; in Seattle and Tacoma the welcome was of the warmest, and every appreciation of the sterling qualities of the Mikado's seamen was manifested.

Of course such a condition of feeling may not be permanent. Human nature is much the same in Washington as in California. Some sudden exacerbation of public sentiment might easily lead to hostile expression. But it is sufficiently evident that the hostility,

wherever it may manifest itself, is not primarily *racial*. Dr. Josiah Royce has recently written:¹ "Our so-called race problems are merely the problems caused by our antipathies." Remembering this, we can see three or four reasons for the general absence in the State of Washington of antipathy towards the Orientals:

1. There is the consciousness that the immigration of Orientals is not now, nor is likely to be in the future, on such a scale as seriously to threaten the disturbance of the labor market. The number of Chinese now in the state is uncertain. In 1905 a census was commenced, but was not completed owing to the filing of protests from various quarters. So far as taken, I am informed by the inspector of immigration at this port, Mr. John H. Sargent, there were shown to be 2,936 Chinese in the state. Of this number 2,225 were laborers, 329 merchants, 264 natives of the state and 118 unclassified. Mr. Sargent believes the total number is less than 5,000 at the present time. The distribution, so far as the larger towns are concerned, is as follows: Seattle, 602; Spokane, 268; Walla Walla, 220; Blaine, 221; Anacortes, 218; Port Townsend, 160; Point Roberts, 146; Bellingham, 100. In the last named towns the Chinese are employed chiefly in the salmon canneries during the summer.

With regard to the Japanese, the figures furnished me by the Japanese Consulate are very explicit and show the Japanese population of 134 communities in the state. The total number is 9,056, a much smaller number than is popularly supposed. The distribution, mentioning again only the larger cities and towns, is as follows: Seattle, 3,134; Tacoma, 664; Spokane, 447; Bellingham, 150; Yakima, 149; Olympia, 57; Everett, 17. In some smaller places we have a larger proportion of Japanese, as, for instance, 403 at Fife, 74 at Walville, 75 at Leavenworth, 90 at Kerriston, 132 at Mukilteo, 103 at Littele, 96 at Startup. In these latter communities the presence of Japanese is due to local demands for labor in railway construction, canneries, logging camps, etc. In Seattle the bulk of the Japanese are engaged in mercantile pursuits, restaurants, hotels and in domestic service.

As to the immigration at present proceeding, we have an annual average of 700 Chinese entering the United States through the ports of this district. Of these the large majority are former residents of the United States. The new arrivals during the past year have not

¹"Race Questions and Prejudices," p. 47.

exceeded fifty, and consist of "students, merchants, travelers for curiosity and pleasure, and officials of the Chinese Government."

With regard to the present rate of Japanese immigration I cannot do better than quote Mr. Sargent's words: "During the fiscal year ended June 30, 1908, approximately 4,500 Japanese entered the United States through ports of this state. Japanese immigration for the fiscal year ending June 30th, next (1909), will not exceed one-half of the above number." As Seattle is the principal port of entry for the Japanese who come to this country it will be seen that there is no great danger of our being overrun as things are at present. Passports, since the agreement of June, 1908, between the State Departments, are now issued to three classes of laborers only, viz., "former residents of the United States, parents or children of former residents and settled agriculturists." Not more than twenty-five have this past year been admitted as "settled agriculturists," *i. e.*, as those who own an interest in some farm or farming enterprise in the United States. A considerable proportion of the new arrivals are Japanese women who come to join the husbands to whom they have already been married in Japan by proxy. On their arrival they are now re-married according to the laws of the State of Washington.

2. There is no real fear, as matters stand, of any mischievous influence, morally and socially, through the presence of Orientals in the state. I may again quote from Mr. Sargent's letter to me: "At times in the past when complaints were raised by labor unions, exclusion leagues and others as to the number of Japanese arriving on this coast the department has sent our special officers to investigate. These officers on going aboard our boats found the Japanese to be young men, bright, active, intelligent, cleanly and well-dressed. On going ashore they found that none of them were in poor-houses or supported by charity." The presence of Japanese and Chinese in our schools and universities is not resented; they do good work and graduate with credit. There are now in the schools of Seattle, forty-seven Chinese (thirty-three boys and fourteen girls), and 242 Japanese (215 boys and twenty-seven girls). Nine Chinese and fifty Japanese are in high schools. Mr. F. B. Cooper, superintendent of schools, informs me: "Reports that come to me from the principals are that both the Japanese and Chinese are unobtrusive and studious, and that they occasion little or no difficulty so far as the administra-

tion of the school is concerned." He writes further, "we experience no difficulty whatever with either the Japanese or Chinese on moral grounds. They attend strictly to their own business, those that we have in school being newcomers to the country and knowing little or nothing of our language, keep naturally very much to themselves. The little children are tractable and apt." The state law does not, as in Oregon and California, forbid intermarriage between Japanese and whites and such marriages, while not frequent, are not unsuccessful, nor do they, except under extraordinary circumstances, attract any special attention.

The question of ultimate assimilation is one on which it is difficult to speak with any certainty. The Japanese themselves are to such an extent the result of fusion, combining such elements as Ainu, Mongol, Malay, Negrito, that a strain of white blood is not likely to diminish their vitality, whatever the Japanese strain may do for the Caucasian. It is quite certain as Dr. Gulick has shown in his "Evolution of the Japanese," that the differences between Japanese and Americans are not biological but sociological, due to environment rather than to unalterable physiological laws. At any rate, the Japanese element is too small to have an appreciable effect in altering the American type.

3. There is a very general conviction in Washington that the commercial interests of the Pacific Northwest demand close touch with the Orient and its peoples. With our present lack of a merchant marine, it is wise to encourage the commercial enterprise of the Chinese and Japanese. Their countrymen help to keep up and develop trade. Unfair treatment is apt to produce boycotts which are speedily felt by Pacific Coast merchants. Moreover, the standard of living in the Orient is raised by the example of Orientals who have had experience of life in American cities, and the raising of the standard of living in the Orient is the problem of the foreign merchant. It has been said with truth that to raise the standard of comfort in China by 50 per cent is to add commercially to the world's population 200 millions of human beings.

4. Beyond the merely negative sentiment of the causelessness for alarm and beyond the more or less selfish considerations of the business man there is growing up the sense of responsibility for harmonious international relations. The Oriental nations are no longer regarded as barbarians to be bullied at will. They have the

right, and the power to enforce the right, to be treated as self-respecting and honorable members of the great family of nations. It is felt, therefore, that the Oriental question must be regarded from a higher point of view than that of merely local and selfish interests. Of course, were the strain on our patience and good judgment suddenly intensified there is no telling what might happen, but at present there can be no doubt that our public men and the press are alive to the importance of looking at the Oriental problem from a national and even human point of view.

This much may be said by way of conclusion. In saying that there is little racial antipathy at present in Washington I have said less than the truth. On the positive side much is being done towards the creation of good relations. The Chamber of Commerce in Seattle has taken an active interest in promoting good feeling between the merchants of Japan and those of the state, sending and receiving delegations with accompaniments of the highest courtesy. The University of Washington is making a good beginning in providing for instruction in Oriental literature and languages. The churches, too, are active in the establishment of missions in the larger towns, and flourishing institutions conducted by six or seven religious bodies, exist in Seattle for the benefit of Japanese or Chinese.

Nor is this without result. Commerce is developed with the Orient itself through the presence of Oriental agents here. Education is advanced in Japan and China through the stimulus given by the graduates of American colleges. Moreover, religious work in China and Japan is wonderfully stimulated by the work accomplished amongst Orientals here. Bishop Restarick, of Honolulu has recently said that according to the testimony of Chinese and Japanese missionaries of long experience the converts in Hawaii, and the same is even truer of those on the Pacific Coast, are two or three generations ahead of the converts in the Orient itself. In such a gradual moral and intellectual assimilation of the members of alien races lies our best hope for the future. An iron-bound policy of exclusion can only keep apart, and that against the course of nature and against the interests of both sides of the Pacific. The fable of the clam, which boasted of its security from attack because of its ability to close its shell, and awoke to find itself on a fish-stall with the notice above it, "This clam, two cents," is as applicable to other

countries as to Japan. Frank and honorable relations between the state departments of Oriental nations and our own, equally removed from doctrinaire sentimentalism and from pandering to popular prejudice; intelligent and humane administration of existing laws respecting immigrants; encouragement of the intercourse which shall promote mutual understanding and good will—these are the factors which will make the human more conspicuous than the racial and link together the two sides of the Pacific with the bonds of honorable and lasting peace.

THE EFFECT OF AMERICAN RESIDENCE ON JAPANESE

BY BARON KENTARO KANEKO,
Tokio, Japan.

In 1873, Mr. Charles Flint, one of the school committee in Boston, stated to our Minister at Washington that Japanese students in America were studious and ambitious; that they were a credit to their own country, and at the same time gave a stimulus to American boys. They were then, he said, simply acorns, but would surely in the future become the oaks of national power in Japan. As predicted by the representative of the Boston School Committee, those Japanese have already become a part of the power which has made Japan what it is to-day!

However, some years ago there arose a question in Japan whether Japanese youths should not rather be sent to monarchical countries in Europe than to the United States, because the latter is a republic, where educational institutions and society are all founded upon democratic principles. It was claimed that Japanese might imbibe radical ideas, which, if not detrimental, are entirely foreign to the principle of our monarchical nation; but the result of work by Japanese who returned from America showed that they were far more conservative than those educated in Europe. The men trained in America regularly gained the confidence of their superiors or employers. Consequently an American school certificate has been regarded as a strong recommendation for young men applying for any position in Japan, and they are welcomed in all the departments of government, as well as in business companies. To-day from the position of minister in the imperial cabinet down to managerships of private firms, the positions are nearly all filled by those who were one time resident in the United States.

Therefore it is often asked why an American education or sojourn has such an effect upon Japanese? To this I always answer that American life is full of energy and hope—energy stimulated by hope, and hope attained by work! Moreover, according to the psychology of the American people, man is taught to regard work as an end, and that to remain idle is a crime! To live in

such an environment has a decidedly beneficial effect upon Japanese. Besides there is something in the American atmosphere which gives to a Japanese a new vigor as soon as he steps on American soil, and makes him ready to meet the fierce struggle of life. It makes no difference whether his stay in America be long or short, the Japanese holds fast to his bosom the feeling of gratitude toward America, which follows him even to the grave!

Many recent travelers after visiting Europe and America have said that Japanese who have been in America are earnest and active, and are the best qualified for any responsible position after they return home. The result of their work in Japan meets fully a parent's wishes; and now Japanese fathers are eager to send their sons and daughters to America, after they finish the studies at our colleges. Therefore the increase of Japanese in America has very great weight upon American influence in Japan, and a decrease will surely bring about a contrary result! Japanese in America have already served their country, doing credit to their American education, and thus doing honor to the United States. I hope sincerely that Japanese in America will in the future keep up the prestige already gained, and thereby recruit the American influence in Japan.

CHINESE LABOR COMPETITION ON THE PACIFIC COAST

BY MARY ROBERTS COOLIDGE,

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Author of "Chinese Immigration" (in press).

In discussing the question of Chinese competition in labor on the Pacific Coast it is ordinarily assumed that whenever a Chinaman enters any occupation he necessarily takes the place of an American or a European foreigner. But this does not at all correctly represent the true labor situation. The State of California, which contained three-fourths of the Chinese immigrants until after the exclusion law was passed, was settled by men drawn by the lure of gold, by adventurers and speculators of every class and nationality—industrial gamblers, in fact—who had no intention of earning a living there as laborers or domestics. They came to make no less than a fortune; and if they were driven to common tasks temporarily when their luck failed in mining or in the scarcely less hazardous business of provisioning camps and importing merchandise, they resented it and constituted, therefore, an exceptionally discontented and unstable laboring class. For almost a generation the stratum of society, which in any long-settled community is filled by those who cook, clean, wash and sew by those who perform the heavy, drudging labor fundamental to industrial development, was all but lacking. There were almost no women or youth who would work even at exorbitant wages, and until the Kearney period no considerable supply of common laborers. At times the vacuum was partially filled by those newly-arrived or down on their luck, but all of them would desert at the news of a new gold-strike or at the chance of any sort of promising speculation.

The Chinese laborers, therefore, coming almost exclusively from the free agricultural peasantry of Kwang Tung and Fukien, were welcome, and, being more enticed by the tales of high wages than by the golden adventure, fitted naturally into the labor vacuum left by men of more adventurous disposition. They became—what they still remain for the most part—gap-fillers—assuming the

menial, petty and laborious work which white men would not do and for which their experience and their native characteristics especially prepared them.

The question has, furthermore, generally been discussed with reference to conditions existing in a few towns and the one large city, San Francisco; yet, during three decades of free immigration, a majority of the Chinamen were in the rural and mountain districts engaged in domestic, agricultural and general labor and in placer mining. In these sparsely populated and often very remote regions their services were acknowledged to be indispensable and only partly filled a demand which has never been supplied by native or foreign workers. Even in placer mining they worked chiefly the poor and abandoned claims which white men left untouched and rarely attempted to compete for the higher prizes of fortune.

During the first twenty years of California history there were, indeed, occasional anti-Chinese movements coincident with political campaigns, when candidates and agitators catered to the mining vote by appeals to a natural race antipathy which had been intensified by the reconstruction measures after the Civil War. But the objection to the Chinese in the earlier time was a phase of the initial struggle of the Americans against all foreigners for the control of the mines; and somewhat later took the form of a general apprehension of "an invasion of heathen hordes" rather than complaint of the competition of Oriental labor. Without rehearsing in detail the proofs, it may be stated finally that at this period the Chinese were a considerable and indispensable element in California progress and in no proper sense competitors of white labor. Even Mr. Samuel Gompers has granted that up to 1869 the presence of the Chinese "caused no serious alarm or discomfort to white labor."

But within the decade following the opening of the Central Pacific Railway the industrial conditions of the Far West were rapidly altered. The builders of the Southern Pacific, after employing every available white laborer at good wages, had been compelled to prepay the passages of thousands of Chinese immigrants in order to finish the road within the time required by Congress; and upon its completion ten thousand whites and Chinese were discharged upon the western labor market. Shortly afterward the greater ease of travel, the phenomenal mining stock sales and two successive years of abundant rainfall upon which mining and agricultural pros-

perity depended, greatly stimulated immigration from the eastern states. In 1868 and 1869 there came into the state 59,000 white immigrants—a number more than double the net increase of the ten years previous. The railway, instead of bringing in a general era of prosperity, as had been anticipated, opened California markets to eastern competition and at once reduced profits on local manufactures and commodities, while immigration precipitated the inevitable fall of wages, which had remained extraordinarily high as a consequence of isolation and the conditions of pioneer mining. Before western society had become readjusted to these disconcerting results of closer union with the world the panic of 1873 struck the eastern states and settled into a prolonged depression. The financial status of California, being established on a gold basis and chiefly supported by the mines, was not at first adversely or directly affected; but indirectly she began to share the disaster through the thousands of unemployed who had come from the stagnation of eastern cities to the land where gold and work were said to be still abundant.

Unfortunately, the white migrants were of a class of which the state already had an over-supply: factory workers, clerks, semi-skilled artisans, and men of low-grade city occupations. The records of the California Labor Exchange, which handled the greater part of the unemployed in San Francisco from 1868 to 1870, show that even in those thriving years there was an excessive supply of waiters, painters, dishwashers, grooms, porters, bookkeepers, salesmen, warehousemen and indoor workmen of all kinds, while there was an unfilled demand for heavy labor on construction works and farms, for lumbermen and machine blacksmiths, and for women and boys as cooks and helpers. Fifty per cent of the applicants were Irish, ten per cent English and Scotch, ten per cent German and only nineteen per cent native American, of whom a considerable number must have been of Irish or German parentage. The labor market continued to be recruited from men of no use in the country and most of whom would not go there even at wages much above those to which they had been accustomed.

About 1874 the inevitable fall of wages, so long postponed by abnormal conditions, began. Measured by the eastern standard, they were still high throughout the whole Kearney period. From the California standpoint they were falling terribly; and to the workmen they seemed to threaten a less than living wage. In cooking,

sewing and laundry work they remained through the seventies practically stationary at three times the average eastern rate. In farm labor, though falling slowly, they averaged 33 per cent above the Middle West; while in those "services on the spot," which are slow to feel the effects of competition, they remained permanently far above the standard of older communities. The accompanying table, covering nineteen trades between 1870 and 1890, demonstrates the superiority of San Francisco conditions during the national depression:

COMPARISON OF MAXIMUM AND MINIMUM DAILY WAGES OF NINETEEN TRADES IN SAN FRANCISCO AND IN ELEVEN OTHER CITIES, 1870-1890.¹

TRADE.	Max. 11 cities.	Min. 11 cities.	Range in cents.	Max. S. F.	Min. S. F.	Range in cents.	Amt. by which min. of S. F. exceeds max. of 11 cities.
Blacksmiths	\$2.70	\$2.43	\$0.27	\$3.80	\$3.33	\$0.47	\$0.63
Blacksmith's helpers ...	1.59	1.41	.18	2.34	2.09	.25	.50
Boiler makers	2.69	2.41	.28	3.46	3.15	.31	.46
Bricklayers	4.13	3.00	1.13	5.00	4.00	1.00	.13
Carpenters	2.60	2.28	.32	3.85	3.09	.76	.49
Compositors	2.82	2.64	.18	3.54	3.27	.27	.45
Engineers (R. R.)	4.02	3.49	.53	4.79	4.53	.26	.51
Firemen (R. R.)	2.03	1.75	.28	3.06	2.54	.52	.51
Hod carriers	2.20	1.58	.62	3.00	2.35	.65	.15
Iron molders	2.79	2.36	.43	3.71	3.40	.31	.61
Laborers (street)	1.63	1.45	.18	2.50	2.00	.50	.37
Laborers (general)	1.57	1.40	.17	2.00	1.97	.03	.40
Machinists	2.52	2.22	.30	3.36	2.95	.41	.43
Masons (stone)	3.62	2.81	.81	5.00	4.83	.17	.21
Painters	2.66	2.16	.50	3.72	3.00	.72	.34
Pattern makers	2.98	2.68	.30	3.89	3.15	.74	.17
Plumbers	3.15	2.79	.36	3.69	3.55	.14	.40
Stone cutters	3.64	2.66	.98	4.11	3.66	.45	.02
Teamsters	1.95	1.71	.25	2.67	2.62	.05	.67
Averages	\$2.69	\$2.27	\$0.42	\$3.55	\$3.13	\$0.89	\$0.39

It appears that during twenty years the minimum average wage in San Francisco in eighteen of nineteen trades exceeded the maxi-

¹Reprinted from Coolidge, *Chinese Immigration* (in press).
Bul. 18, U. S. Dept. of Labor, 1898. Rearranged.

imum average wage in eleven other cities, the total average excess amounting to thirty-nine cents per day per trade. Nor was this excess diminished by an appreciable difference in the cost of living.

Nevertheless, during this very period there occurred the labor outbreak known as Kearneyism, whose animus was concentrated upon the rich, monopolistic corporations and upon the Chinese. The movement was in fact a reflection of the wider national labor agitation, and had its origin in a network of local industrial grievances. The demand for labor was erratic and its conditions unstable. When the eastern depression finally made itself felt in California the check upon industry was intensified by drought, and to the thousands of eastern unemployed were added more than the normal number of those who in the West are usually out of work from December to March. A large number of the immigrants were such as could not have found work in California even in prosperous times, and a study of the principal industries suggests that the situation was greatly aggravated by the extremely intermittent character of all rural employments. As the rainy season came on the placer miners, both white and Chinese, returned to the valley towns and to the coast. Farm laborers had work only from March to July or August and a few for the short plowing season in early winter, after which they, too, drifted into San Francisco. All the industries dependent on mining and farming suffered the same seasonal contraction. The failure of winter rainfall, just before the Kearney uprising, resulted in widespread unemployment and consequent congestion of workers in San Francisco. Then, as now, during the winter months, certain streets were thronged with idle and disgruntled men, among whom the agitator and the demagogue found ready listeners. Chinatown as well was filled up with miners, fishermen and laborers, to whom were added in February and March the usual quota of spring immigrants from Hongkong. Men are not logical when their wages are falling or when they are unemployed—the mere juxtaposition of thousands of both races, even though many of them would find abundant and well-paid work in the country at the opening of the next spring, made it seem evident that there must be intense competition. Yet the recurring congestion and lack of work was due to climatic and economic conditions with which the Chinamen had nothing to do.

During the seventies the Chinese had been gradually shifting

from the mining to the agricultural and urban counties, until, in 1880, about one-third of the whole number were in towns, and from 20,000 to 25,000 in San Francisco at various seasons. It has been shown that if there was competition anywhere, it was in manufacture, and in the principal city where such factory industries as there were chiefly existed. In a pamphlet entitled "*Meat vs. Rice*," published by the American Federation of Labor, eight industries are specifically mentioned as the most important of those from which the Chinese had driven white labor. Only three of them, however, employed Chinamen in any considerable numbers and turned out sufficient product to merit any examination. The boot and shoe industry, the woolen industry and cigar-making are the manufactures frequently named in anti-Chinese literature as unquestionable examples of severe competition, and should, therefore, be individually studied.

In the boot and shoe industry there were engaged in the seventies from 1,500 to 2,500 persons, of whom 26 per cent were Irish, 21 per cent Americans and 19 per cent each Germans and Chinese. The competition, it is evident, must have been between the Irish and German foreigners on the one hand and the Oriental foreigners on the other, if, as is usual, the overseers and foremen were Americans. This manufacture, begun as the result of the superior quality of hides and leather in California, suffered a sudden check upon the finishing of the railway because of the opening of the home market to eastern producers. Although leather was relatively cheap, it was shipped east, manufactured and shipped back, and sold at a greater profit than could be made on home manufactured goods. From two-thirds to three-fourths of the goods manufactured by the Chinese in San Francisco were made in Chinese shops and sold to their countrymen, the product being principally coarse boots and shoes for laborers and cheap slippers. It was said that they never could make fine footwear, but it may be that they, too, found competition with eastern-made goods unprofitable. The Knights of Saint Crispin, a union of shoemakers newly organized in the West, demanded that the manufacturers employ white labor; but when, under the intimidation of Kearneyism, the substitution was agreed to, it was found necessary to send east for operatives. Nor did wages ever fall to the eastern level except in those operations where the Chinese took the places of the women and children so largely employed in eastern factories after the introduction of shoe machinery. It is clear that

a local industry, 48 per cent of whose operatives in the east were women, must have had some considerable advantages to maintain itself. As a matter of fact, California had only a cheaper raw material and Chinese labor—which was paid about the same as women elsewhere—to oppose to the generally cheaper labor and much cheaper fuel and capital of eastern producers. Even with its local advantages the industry thrived only for a short time, and the Chinese manufacture in Chinese shops declined as rapidly as the American. In 1870 this industry ranked fourth in the state; by 1893 its production had declined to less than half what it had been, and at present it has not even a place among the sixteen leading industries.

The woolen industry has a similar history. Established in 1867 by a Scotchman because of the superiority of California wool, it employed at its height about 1,000 operatives. It was never able to compete with the eastern product in certain lines and in the others only paid dividends after the Chinese began to be employed. California was employing only one woman and one youth to nineteen men (both white and Chinese), while the other states were employing in this manufacture one woman and one child to every two to five men. A comparison of the wages of different classes of employees, from 1867 to 1880, in the East and the Far West shows that the total average wage of the eight classes in which Chinese were engaged was exactly the same as of the same classes in seven other states; while the average of nine other classes in which white men were employed was one dollar per day higher in California than elsewhere. Even with Chinese labor the wages of California woolen factories never reached the lower level of the East. Between 1880 and 1890 the industry began to decline, the number employed fell from 819 to 125, and its product dwindled from \$1,700,000 to \$350,000.

The third trade, cigar-making, in which the Chinese are said to have superseded Americans has had almost as disastrous a history. Established in the West by Germans, in 1870 it was employing from 2,000 to 2,500 persons and a few years later perhaps twice as many. It had fallen almost wholly into the hands of the Chinese and the scale of wages was about ten per cent less than those of eastern and southern establishments. In 1877 the statistics of seventeen white firms in San Francisco, most of them German, show a total of 263 Chinese earning \$2.75 per day; and 133 more \$3.00 per day;

while 2,800 Chinese were employed by Chinese manufacturers at fifty cents to \$1.25 per day and board. In 1878, at the demand of the White Labor League, most of the white firms agreed to replace all Chinese with white labor at union wages in order to give the unemployed work. It was at once disclosed that there were very few cigar makers out of work in San Francisco and the unions sent East for several hundred men, many of whom ultimately returned to the East or left the trade for more alluring occupations in California. In spite of the gradual re-engagement of many Chinese the industry rapidly declined, owing, it is said, to the severe competition of Eastern tenement-house and Cuban labor. As in the case of the shoe industry, the Chinese manufacture also declined, and in 1891, the Hong Tuck Tong—Chinese Cigar Makers' Union—had only one-fourth as many members as formerly.

The history of these three factory industries in which the Chinese were largely employed, and of many small ones, shows that, except in cigar-making, wages did not reach the level of Eastern manufacture. The relatively low wages in them were probably due to the narrow margin of profit and to the impossibility of permanent success under local conditions. It does not appear that any number of white men were displaced by Chinese; but undoubtedly the presence of a large number of white immigrants unfitted for California occupations, as well as of Chinese who could be had more cheaply, hastened the fall of wages from the pioneer standard to a level approaching that of the rest of the country. Yet without the Chinese some of these manufactures would not have survived at all. If it be contended that white men were driven to accept "Chinese wages" still the inexorable fact of Eastern competition has to be reckoned with. The unanswerable fact is that whereas these three manufactures once ranked among the leading ones of the state, their combined product in 1906 was not as much as that of one of its sixteen principal industries. If the Chinese excluded white labor from them originally then it may now be argued that the exclusion of the Chinese has killed the industries. But neither hypothesis can be sustained; rather we must suppose that certain kinds of manufacture in California were premature and their decline due to causes only remotely connected with the labor supply.

One other contention—that the Chinese took the places of women and boys—may be briefly considered, although it scarcely seems

to require demonstration that in a region where there were, even in 1880, only three females to five males of all races; and only one child of school age to every three or four adults, such women and youth as wished to work could not fail to find work when there was work for anyone. During the Kearney period women constituted less than six per cent of the total number in gainful occupations; and about fifty per cent of those in the sewing trades in which the Chinese were ten per cent. The wages of women in every line of household labor and in the sewing trades were and have remained far higher than anywhere else in the United States. It is true that Chinamen performed a large part of the domestic labor in California, but always at wages higher than those of women and with an ever-rising demand, until at present a Chinese cook is a luxury that only the rich can afford.

In the discussion of Chinese labor competition only two conspicuous qualities of the Chinese laborer himself are commonly mentioned: his thrift and his laborious patience; yet he has several other characteristics of even greater pertinence to the question. Free Chinese labor never remains "cheap" for any great length of time. In California the Chinamen are receiving on the average twice as much in wages as in 1882 and more than similar classes of naturalized Europeans. They are not only organized more thoroughly and minutely into unions than Americans but they have an adaptability and a keenness which enable them to distribute themselves quickly to the districts and the occupations where competition is least and wages highest. They have left factory labor and washing because wages were too low, although the Chinese laundrymen are paying twice the wages they paid twenty years ago. In fact among the fifty or sixty thousand remaining in California, most of whom were originally laborers, a majority are now the owners of small independent businesses or employed in coöperative undertakings. In Hawaii, where the Chinese are preferred to any other class of common labor, it is the complaint that the Chinamen will not remain laborers and now expect to make white men's profits in their business enterprises.

Again, it is a mistake to suppose that the Chinaman lives penuriously on rice and wholly without meat. He does, indeed, live within his income, but, because of his industry, intelligent ambition and thrift, he generally has money in his pocket, and no man likes to

spend it for good food and for pleasures more than he. Professor Jaffa has concluded from an exhaustive study of the dietaries of three groups of Chinese—washmen, truck-gardeners and students,—that their food is quite as nutritious and more varied than that of white workingmen, small tradesmen and farm-hands in the same region. The somewhat lower cost he attributes to less wasteful habits and greater skill in preparation, on the part of the Orientals. The ability to cook, sew and wash for himself, as the white laborer can seldom do satisfactorily, is also a considerable advantage both to the employer and to the Chinaman in the homeless life he leads. His native thrift and his moderation both in his pleasures and his vices enable him to endure with less danger of degeneration the effects of intermittent employment.

The enumeration of the Chinese laborer's industrial virtues would seem to render him a dangerous competitor of the white laborer, but as a matter of fact he never became one, except to an infinitesimal degree in California, partly because of the lack of any other distinct laboring class in number sufficient to supply the ever-increasing demand, and partly because of the intelligent ambition of the Chinaman himself, which soon took him out of the laboring class. Certain personal characteristics also prevented him from attempting competition in lines where aggressiveness was required. The Chinaman, though keen and industrious and saving, is timid and conservative, intelligently preferring moderate wages in peace to a job which he must fight for. He is usually a married man with a wife and parents in China, to whom he will be devoted throughout the enforced absence of years and to whom he will return as soon as he has saved enough capital to insure a comfortable business at home. When he remains here and brings over a wife, he may not lose his native characteristics, but he will try to raise his children by education into a higher class and insist upon making good Americans of them.

From the time of the Scott act (1888), when the Chinese laborers in California began to decline perceptibly in numbers, there have been many attempts to fill their places. Except immediately after the panic of 1893, there has been a temporary and in some localities a permanent "labor famine" every season, while wages have been rising. The substitutes for the vanishing Chinamen are vari-colored—Negroes, Apache and Yaqui Indians, Mexicans and

Cholos, Italians, Greeks, Austrians and Portuguese, Hawaiians and Hindoos, Porto Ricans, Filipinos, and lastly Japanese. Since the work of California must be done somehow and by someone, it may be questioned whether the dangers of Chinese competition in labor are greater than those likely to be encountered from most of these other races, whose assimilative power is even less than that of the Chinaman, and who certainly have far less industrial efficiency.

THE LEGISLATIVE HISTORY OF EXCLUSION LEGISLATION

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The laws passed in various countries restricting Oriental immigration are of two classes, relating to coolie labor and regulating the general immigration of Oriental races. Experiments with coolie labor have been made under many conditions and satisfactory results have often been obtained, especially in tropical countries, where the white man cannot do heavy work. But in the temperate zones the presence of the coolie is always unwelcome to the white laborer, whom he undersells, and if provision is not made for his return to his native country at the end of his labor term he soon becomes quite as objectionable to the white employer as to the laboring classes. His economic advantages soon enable him to leave the rough work for which he was engaged and to push his way through artisanship to commerce and manufacture. When that occurs the upper classes of the dominant race begin to see their own field encroached upon and the legislation becomes of the second class—that directed against the general immigration of Oriental races.¹

Through this development the United States has passed, for though nominally we have prohibited coolie labor since the days of the Burlingame treaty, it must be admitted that through much of the time the employment of Chinese was under the control of contractors who only veiled the conditions of employment in such a way as to avoid the terms of the treaty. Then as the Chinese who had served their terms and those who came of their own free will entered the various occupations, the laborers and at last the whole west coast population, cried out for general exclusion, which now they would have extended to cover Japanese, Koreans and even the Aryan Hindoo, as well as the despised Chinaman.

The immigration from China—the first to start from the Orient—in the beginning caused no comment. It grew but slowly. In the

¹See discussion of Oriental Labor in South Africa, elsewhere in this volume. Peru is going through the same experience. A decree was issued May 14, 1909, suspending Chinese immigration pending action by the Congress.

period 1820-40 there were but eleven arrivals; the next twelve years brought but thirty-five. In 1854 came the first notable increase, 13,110 entering California in that year. Locally prejudice began to crystallize against the newcomers, but the government at Washington was complacent in the belief that no fear was justified, for the Chinese came only to earn money and return, seldom bringing their wives. It regarded "adverse legislation" as "not at all likely."² There was, up to 1870, only an occasional entry from Japan. The Secretary of Agriculture favored Orientals for rough work, they "would really operate only as labor-saving machinery does."³ The Burlingame treaty was adopted in 1869 with no protest. It was still felt that a regulation of coolie labor was all that was necessary.

California, however, was soon convinced that restriction was needed. On December 22, 1869, an unsuccessful effort was made to secure action by Congress.⁴ In 1872 the legislature instructed the representatives in Congress to urge the making of a treaty which should discourage Chinese immigration.⁵ Similar action was taken two years later.⁶ Congress finally appointed a joint special committee to investigate Chinese immigration in the summer of 1876. The committee, in its report of over 1,200 pages, reached no definite recommendations, though the tone of the report was anti-Chinese. The evidence was confused and conflicting. California was held to have advanced more rapidly through the presence of the Chinese, they were found to live in unsanitary quarters, and their "many young children," were provided with no education.⁷

From this time on protest and defense became continuous. The legislature of California in 1877 protested to Congress against the social, moral and political effect of Chinese immigration.⁸ The male adults almost equaled the voting population of the state. "No nation, much less a republic, can safely permit the presence of a large and increasing element among its people which cannot be assimilated." On the other hand, the congressional committee's re-

²House Exec. Doc., 3d Sess., 41st Cong., Vol. 13, pp. 572-6.

³*Ibid.*

⁴See House Report, 45th Cong., 3d Sess., No. 62.

⁵House Misc. Doc., 42d Cong., 2d Sess., No. 120.

⁶House Misc. Doc., 43d Cong., 1st Sess., 204. See also protest from Beaver County, Pa., against the importation of 165 Chinese by a cutlery company. House Misc. Doc., 42d Cong., 3d Sess., No. 181.

⁷Senate Report, 44th Congress, 2d Sess., No. 689.

⁸House Misc. Doc., 45th Cong., 1st Sess., No. 9.

port is impunged as *ex parte* and largely mistaken.⁹ The Chinese are defended for the work they did which made the transcontinental roads possible and for the draining of over a million acres of tule lands in California, which, without them, would have remained waste.¹⁰ It is pointed out that in California the Chinese pay school taxes, but they are excluded from the schools—only one little girl out of over 3,000 was studying in a public school. In Congress bills were introduced for placing a head tax of \$250.00 on each Chinese immigrant and making evasion of the tax a crime punishable by five years' hard labor in the state prison.¹¹ The legislature in 1878 again appealed to Congress for relief,¹² and a house committee reported that China "was separated from us by a comparatively narrow ocean," the rates on which had by competition fallen from fifty dollars to twelve; that as a result the Chinese worked on the Pacific Coast for from twenty to thirty cents a day, slept in crowded quarters "like sardines in a box" and were unassimilable, and, therefore, undesirable as an element of our population.¹³ China, it is asserted, does not favor emigration, hence there is no fear of international difficulty. "But were it otherwise the harmony and perpetuity of our social and political institutions" could not be weighed against any advantage of Chinese commerce. Thus early was the importance of keeping California "a white man's country" an impelling motive in the movement for restriction urged by these repeated appeals.

Congress finally decided not to wait longer for action by the treaty power. "So long a period of non-action proved either the non-willingness or the inability of the treaty-making power to cope with the question. . . . This whole question is not one of right, but one of policy."¹⁴ The house passed a bill limiting the number of passengers which might be brought by any one vessel to fifteen. The senate amended by stipulating for abrogation of two articles of our treaty with China. President Hayes vetoed this bill because it would force us to break the faith of a treaty—and would expose our citizens in China to retaliation. He believed that a modification of the treaty would be willingly assented to by China.¹⁵ Accord-

⁹Senate Misc. Doc., 2d Sess., 45th Cong., No. 20.

¹⁰*Ibid.*

¹¹Senate Misc. Doc., 2d Sess., 45th Cong., No. 36.

¹²House Misc. Doc., 45th Cong., 2d Sess., No. 20, February 4, 1878.

¹³House Report, 45th Cong., 2d Sess., No. 240, February 25, 1878.

¹⁴House Report, 45th Cong., 3d Sess., No. 62.

¹⁵House Exec. Doc., 45th Cong., 3d Sess., No. 102, March 10, 1879.

ingly, the following year negotiations for change of the treaty were undertaken.¹⁶ Meanwhile California had submitted the question of exclusion to a popular vote. The result indicates the popular feeling. Within 4,000 of the entire state vote was cast, of which number 154,638 votes were against and 883 in favor of Chinese immigration. "The result of such a verdict comes up to the American Congress with a degree of force that cannot safely be resisted," reported the select committee charged with investigating the causes for the existing depression of labor in 1880. So important apparently did they think this question that their report deals only with Chinese immigration, though the instructions were to investigate all reasons for the depression of the labor market. The discussion presented, though prejudiced throughout, gives a good idea of the state of public opinion at the time in the coast states—from which came the majority of the members of the committee.¹⁷ "The Sierra Nevadas now mark the pagan boundary. Let us make a solemn decree that beyond that high boundary the invading swarm must stop."¹⁸

The treaty of November 5, 1881, aimed to stop this ill feeling by providing that the United States might "regulate, limit or suspend" "the coming of Chinese laborers . . . but (might) not absolutely prohibit it." Congress was in a spirit to exercise the maximum of the power thus granted and passed a bill suspending immigration for twenty-five years. Like its predecessors, the measure was vetoed. President Arthur declared neither party contemplated a prohibition of so long a term. He stated in his message to Congress, "I regard this provision of the act as a breach of our national faith."¹⁹ The bill failed to pass over the veto,²⁰ and at once other bills providing for ten, sixteen and twenty-year periods of exclusion were introduced. Finally a compromise between the legislature and the executive was reached in the bill approved May 6, 1882. It was a measure framed by the representatives of the three states and two territories most affected, "all the talent of the Pacific Coast (being) enlisted in its drafting."²¹ The immigration of Chi-

¹⁶House Exec. Doc., 46th Cong., 2d Sess., No. 70.

¹⁷House Report, 46th Cong., 2d Sess., No. 572, March 19, 1880.

¹⁸*Ibid.*

¹⁹Senate Exec. Doc., 47th Cong., 1st Sess., No. 148, April 4, 1882. See also House Report, 47th Cong., 1st Sess., No. 67, January 26, 1882; House Report, 47th Cong., 1st Sess., No. 1017, April 12, 1882.

²⁰House Report, 47th Cong., 1st Sess., No. 1017, Part II, April 14, 1882.

²¹House Report, 48th Cong., 1st Sess., No. 614, March 4, 1884.

nese laborers was suspended for ten years, except of such as were in the United States November 17, 1880, or should come within ninety days after the passage of the bill. Those lawfully in the United States could return to China without losing the right of entry here by taking out a "return certificate" at the port in the United States whence they sailed. Great difficulty at once arose in administering the law, some of its provisions could not be executed, others were easy of evasion and in some cases there was great corruption in the sale by the immigration officers of certificates entitling a man to return to the United States.²² Minor amendments to the law were added July 5, 1884.

From the first this law did not satisfy the West, which had had a free hand in its framing. In March, 1886, an anti-Chinese state convention was held in Sacramento to memorialize Congress in favor of absolute prohibition.²³ Numerous riots due to race prejudice occurred in all the western states.²⁴ At Rock Springs, Wyoming, a night attack by 150 armed men was made upon the Chinese, their houses were plundered and then burned, the Chinese were pursued and shot "like a herd of antelopes, making no resistance." In many towns in California they were driven out, sometimes without notice, in other cases after warning; at some seaports they were forced on board boats returning to China. The local authorities regularly refused to interfere to prevent or punish abuse of the Orientals. President Cleveland, in a message asking Congress to pay damages as an act of friendship, a suggestion later acted upon, asserted that "the proceedings in the name of justice for the ascertainment of the crime and fixing the responsibility therefor were a ghastly mockery of justice."

Such conditions were not to be borne. In 1886 China undertook to prohibit the coming of laborers to this country and later agreed to a treaty which would allow the United States a free hand in the matter. In the expectation that his agreement would be ratified, Congress undertook thoroughgoing exclusion legislation. At the last moment, however, China took action which was held to indicate a desire to block the negotiations indefinitely.²⁵ On that account

²²See especially House Exec. Doc., 48th Cong., 2d Sess., No. 214.

²³Senate Misc. Doc., 49th Cong., 1st Sess., No. 107, April 28, 1886.

²⁴House Exec. Doc., 49th Cong., 1st Sess., 102. Message of President Cleveland gives numerous instances.

²⁵Senate Exec. Doc., 50th Cong., 1st Sess., No. 273.

President Cleveland decided to approve the bill which had been intended to be supplemental to the treaty, alleging that the United States was called upon "to act in advance by the exercise of its legislative power."²⁶

The act of 1888 excluded all Chinese except certain classes, such as officials, teachers, merchants or travelers. Even such could come only after getting permission of the home government and an identification slip issued by the consular representatives of the United States at the port of sailing. Chinese laborers already in this country, except if they had a family or property worth \$1,000, could not return if they left the United States. Those having these qualifications could return within one year upon producing the return certificates which it was provided should be issued at their departure. This law, like that of 1882, was evaded. Fraudulent certificates, smuggling across the borders of Canada and Mexico, and abuse of transit privileges were alleged as the most frequent abuses.²⁷ To meet this difficulty Congress at once took up measures for the enumeration of all Chinese in the country and providing that all not having certificates should be deported.²⁸

No law on this subject was passed, however, until 1892. The exclusion proper rested on the act of 1882, which, by the ten-year limitation, was then soon to go out of force. To avoid this possibility the Geary act was passed, continuing in force all anti-Chinese legislation for another decade. The changes which had been urged were also incorporated. It was provided that all Chinese must have certificates to prove their right to remain. If any were found illegally within the United States they were to be deported, unless some good reason for not having procured the certificate was shown and actual residence at the time the law was passed could be proven by at least one witness other than Chinese.²⁹

The Chinese employed counsel—among whom was Hon. Rufus Choate—to contest the constitutionality of this law. By advice they did not register, and when the court had rendered its decision up-

²⁶Act of September 13, 1888, c. 1015, 25 Stat. 476; see also act of October 1, 1888, c. 1064, 25 Stat. 504.

²⁷Senate Exec. Doc., 51 Cong., 1st Sess., No. 97.

²⁸Senate Exec. Doc., 51st Cong., 1st Sess., No. 106; Senate Misc. Doc., 51st Cong., 1st Sess., No. 123, April 9, 1890; House Report, 51st Congress, 1st Session, No. 486, February 27, 1890; House Report, 51st Cong., 1st Sess., No. 2915, and House Report, 51st Cong., 2d Sess., No. 4078.

²⁹Act of May 5, 1892, c. 60, 27 Stat. 25. See House Exec. Doc., 52d Cong., 1st Sess., No. 224.

holding the law the time for registering was passed. All were, therefore, technically liable to deportation; so, to relieve this situation, Congress extended the registration period for six months. Additional rules were also provided, and to aid identification it was required that the return certificates be accompanied by a photograph of the recipient.³⁰

The following year a new treaty with China embodied practically the items of the Geary act and abolished the provision of the act of 1888, by which laborers leaving the United States were denied the privilege of return. It was to last for ten years, at the end of which time, in 1904, China declined to renew it. In the meantime Hawaii had been annexed and the exclusion laws were extended to that territory by the "act to provide a government for the territory," approved April 30, 1900.³¹ The second period for which the exclusion act of 1882 was being enforced had also come to an end. As that time approached interest in the exclusion laws had again become intense on the Pacific Coast, especially under the lead of the American Federation of Labor.³² Typical of public opinion also was a convention held in San Francisco November 21, 1901, composed of state, county and city officers and representatives of trade organizations to the number of 3,000. It voted unanimously for exclusion.³³ The Chinese minister, on the other hand, exerted his influence through the Department of State in opposition to the re-enactment of the discriminating legislation.³⁴ The minister particularly objected to the harsh administration of the laws by the Treasury Department, especially since 1898. He showed that the act was originally aimed at laborers only, but that the government now excluded every one not specifically named in the exempt classes, including even bankers, physicians and other classes, against whom the law was never intended to act. A protest against the inclusion of Hawaii was made on the ground that it could never be a field for exploitation by Anglo-Saxon laborers. A similar objection was raised to the act of General Otis in extending the exclusion acts to the Philippines.

³⁰House Report, 53d Cong., 1st Sess., No. 7, October 4, 1893; Act of November 3, 1893, c. 14, 28 Stat. 7.

³¹Senate Report, 55th Cong., 3d Sess., No. 1654, February 13, 1899. See also U. S. Statutes, 1897-8, p. 751, and House Doc., 56th Cong., 2d Sess., No. 464.

³²Senate Doc., 57th Cong., 1st Sess., No. 137.

³³Senate Doc., 57th Cong., 1st Sess., No. 191.

³⁴Senate Doc., 57th Cong., 1st Sess., No. 162.

But the country had by this time become accustomed to the exclusion acts and Congress was satisfied with their principle. There was no difficulty in inducing the legislature to accede to the demand for the indefinite extension of the life of the laws by the act of April 22, 1902.³⁵ This law expressly extended the legislation to all the island territories and prohibited the emigration of Chinese from them to the continental United States or from islands to other islands not of the same group. In fact, this rule had been applied in the Philippines since an order issued by General Otis in September, 1899. Certificates of residence were also required in the insular possessions.

This law is the last important one affecting Chinese immigration. The general policy indicated by the various acts is, judging from the present state of public opinion, not likely soon to undergo further important change. Such modifications as have been introduced during the last seven years have been in the direction of making the administration of the laws stricter and toward a narrower construction of the meaning to be placed upon the words describing the privileged classes.

The reasons for this condition are of two sorts. The people at large, now that a saner attitude toward all our racial questions is developing, are less to be aroused by appeals to abstract equal rights. The presence of elements not easily assimilable among our population has made the public look askance at any action which may introduce another element that may complicate the problem of adjustment. In the Far West the subject is of course a local one and correspondingly acute. There the appeal to keep California a "white man's country" has a greater immediate force on public opinion. Exclusion is there anything but an academic question. In the East, due to the small number of Orientals in the laboring population, interest is less lively. It is an indication of increasing class consciousness that in both sections of the country the laboring classes are the most alive to what Oriental labor means for the white man. Their interests are the ones which will be affected first. For these reasons we can probably look forward to a long period during which our legislation on Oriental immigration will undergo but slight change—unless it be in the direction of further restriction and the inclusion of other races besides the Chinese. That such a development may occur or is perhaps in process is clearly

³⁵Act of April 22, 1902, c. 641, 32 Stat. 176.

indicated by the recent agitation on the coast to make the exclusion laws apply to all Oriental immigrants.

For the present an agreement has been reached which may put off or remove altogether the possibility of legislation against Japanese laborers. Japan, like China before her, professedly does not want her emigrants to go to the United States. The desire to get a preponderant influence in Korea and perhaps in Manchuria prompts the government to turn thither all those who leave the home country. Indeed, for some time past it has been the custom of Japan not to issue passports to laborers desiring to go to the United States, but since no restriction was placed on emigration to Hawaii, Canada and Mexico, the regulation was ineffective.

The agitation on the Pacific Coast, which became acute in 1906, forced the attention of Congress to the fact that legislation similar to that in force against the Chinese was being demanded for Japanese immigrants. The excitement was for the time at least allayed by an expedient included in the immigration act of 1907. Placing reliance on the continuation of Japan's policy as regards emigration noted above, Congress authorized the President to exclude from continental United States any immigrants holding passports not specifically entitling them to enter this country. On March 14, 1907, the President exercised this right by an executive order applying to Japanese laborers coming from Mexico, Canada or Hawaii.⁸⁶

Due to this arrangement, the local legislation which caused the excitement was withdrawn, and the "Japanese question" was for the moment out of politics. It is by no means certain, however, that the seeds of future disagreement are removed. The current disputes as to the efficiency of the executive arrangement show that the west coast is in earnest and even yet is not fully satisfied that all which should be done has been accomplished. The whole subject of Japanese immigration is one which calls for careful settlement by a treaty which shall at the same time avoid antagonizing a proud nation and remove an element which unregulated can hardly avoid causing increasing uneasiness and ill feeling on the west coast.

⁸⁶American Journal International Law, I, p. 450.

HOW CAN WE ENFORCE OUR EXCLUSION LAWS?

BY MARCUS BRAUN,

Immigrant Inspector, Department of Commerce and Labor, Washington, D. C.

From the Atlantic to the Pacific Ocean we have, I believe, on the Canadian border, a stretch of about 4,000 miles; the southern boundary from Brownsville to Tia Juana is, I believe, about 2,500 miles long, making a total of about 6,500 miles. On these two borders the United States Government maintains an immigrant inspection service consisting of perhaps all told 300 officers and other employees. These officers and employees, generally speaking, are a fine body of men, well trained and usually very much devoted to the service. At their disposal are the various laws and regulations which read very smoothly and which in theory are excellent. When it comes to practical enforcement, it is a different thing.

The best guarded border line that I know of in any country is in Russia, where the government places at every *wierst* (about nine-tenths of an English mile) an armed guard, day and night in three shifts for every twenty-four hours. These Russian frontier guards have the most far-reaching power and authority, they can arrest anybody who crosses the frontier, whether in possession of papers or not; they have a right to shoot, to kill, and yet, with this immense apparatus at their disposal, there are thousands and thousands of people smuggled out of Russia and smuggled into Russia. How much easier must be the smuggling of aliens across our northern and southern boundary lines. I am not in possession of the latest statistical data as to how many Japanese and Chinese officially entered within the last year into the United States, but I am sure that no matter how large or small the number is, many more entered the country surreptitiously.

The smuggling of Chinamen and Japanese is a regular profession on these two border lines; it is not a very risky undertaking, and it pays very well, from \$25.00 to \$200.00 per head. When I say that it is not a risky undertaking, I mean to indicate thereby that the smuggler of Chinamen and Japanese on the two borders very seldom crosses the border line; he merely brings his wards to the border and he tells them to run across. True, there may be on

the American side someone or several persons who will show the way to these smuggled Chinamen and Japanese further, but if those men are caught, we can hardly get them convicted of having smuggled these Orientals into the country, because they merely picked them up on American soil and showed them the way.

Another bad feature is that the highly technical rules governing the admission of evidence before our tribunals make it many times almost impossible to secure convictions, aye, far worse, many Chinamen who were smuggled into the country during the night at some convenient place, have had and have the audacity to present themselves the next morning at the office of our Chinese inspector in charge, with an affidavit, made by someone in some interior city of the United States, in which affidavit it usually is stated that so and so is a merchant or a laundryman, residing for the last ten or fifteen years, to the knowledge of the affiant, in that particular city, and that so and so went on a pleasure trip or on a business trip to some particular place on or near the border line. Armed with such an affidavit, the Chinaman asks our Chinese inspector in charge to endorse his paper, in order that he may not be held up at the railroad station when trying to board a train to some interior point.

Experience has shown that when the inspector in charge refuses to make an endorsement on such a manufactured document, and places the Chinaman under arrest, he is subsequently admitted by the courts and commissioners, and thus becomes the possessor of a regular court document which is incontestable, and which is considered by the smuggling craft a far better and safer document than a *bona fide* Chinese certificate of residence.

As far as the Japanese are concerned, we are still worse off; there is no such thing as a Japanese exclusion law; by a proclamation of the President of the United States, the entry of Japanese laborers from Mexico and Canada is now prohibited if these Japanese are not in possession of passports from their government entitling them to go to the United States. When I made an investigation on the Mexican border concerning the enforcement of this order there, I found that the Japanese simply threw away their passports and crossed the border line at some convenient point, and once they were in the country it was next to impossible to get them out again, unless we could have them positively identified as having entered surreptitiously.

The topographical conditions on these two border lines make it easy for Japanese to smuggle themselves into the country or to be smuggled in, and the absence of any registration laws such as obtain in every European country with the exception of England, and obtain particularly in Asiatic countries, is a great assistance to smuggled aliens. If we really want to keep out Chinese, Japanese, and in fact other undesirable aliens, we will have to change our laws. In the first place, we need an alien registration law, that is to say, every alien should be required to bring with him a passport from his own government, possibly with a photograph to avoid the subsequent selling or exchanging the same, it should be required that the aliens keep on their person their passport which should be stamped at the time of their arrival, and that until they become citizens of the United States, they should be required to register their residence either with the local police or with a special bureau to be created for that purpose. They should also be held to notify promptly these authorities of any change of residence, and the penalty for failure to do so should be made very severe. Americans going abroad to take up their residence in foreign countries are compelled to do the same thing, and I do not see why we could not require aliens who come to the United States for continued or temporary sojourn to do likewise. The enactment of such a law would not only keep out inadmissible Orientals, but would keep out other undesirable aliens also.

As I stated before, our immigration service is composed of excellent men, our central organization at Washington is most perfect, but our laws are inadequate, and as far as the Chinese situation is concerned, positively bad. The Chinese exclusion law ought to be taken out of the hands of the United States commissioners and United States courts. The Secretary of the Department of Commerce and Labor ought to be the sole judge of whether a Chinaman has a right to be in the United States or not, the same as he is the sole judge of the right of any other alien to be in this country.

ENFORCEMENT OF THE CHINESE EXCLUSION LAW

BY JAMES BRONSON REYNOLDS,
New York.

On the twenty-ninth day of the eleventh moon of Peng Ng year, that is, January 13, 1907, there appeared on the walls of many buildings in the Chinese quarter of Singapore a declaration from which I take the following statement: "In America we are one and all ill-treated as if we were criminals, no distinction being made between officials, merchants, students and ordinary people. There the disgrace inflicted upon us may be said to be carried to its fullest limit. . . . Given by Lam Hong Wai, the man who proposes to revive the boycott." The signer of this declaration was a well-known, prosperous Chinese merchant of Singapore, and his judgment on the American Bureau of Immigration, I am informed, voiced the general sentiment of intelligent Chinamen.

A few months previous to the above pronunciamiento, I was visited by a Chinese merchant, who told me the following experience of a brother merchant of New York. A son of the latter, born in this country, hence entitled under the law to live here, had gone to Canton to receive a Chinese education. On the completion of his studies he returned to this country. Upon reaching San Francisco, in spite of the fact that he was a first-class passenger and carried papers establishing his American birth, he was stopped and confined in the "pen," the rough quarters in which detained immigrants were lodged. Upon his detention he wired his father, who at once started for San Francisco. The father found on arrival that his son had been ordered deported. The father retained an American lawyer, who appealed from the local decision on the case to the higher immigration authorities in Washington. Two days later the father was visited by a Chinese interpreter in the service of the American government, who told him that he had wasted time in appealing to Washington and that fifty dollars given to the right man would have "fixed" the case. The interpreter stated subsequently that even then one hundred dollars would arrange the

matter. This amount was promptly paid and the next day the father and son started east.

Similar incidents were told me by Chinese merchants and officials as well as by American missionaries. Some of their tales were well substantiated; some were of doubtful truth. But unfortunately the fiction was not more discreditable than the truth. An able Chinese governor, since made viceroy, stated to me that though he desired to send students from his province to America, he was deterred from doing so by the treatment accorded to Chinese students at American ports of entry.

In his annual message to Congress in 1905, President Roosevelt said:

In the effort to carry out the policy of excluding Chinese laborers—Chinese coolies—grave injustice and wrong have been done by this nation to the people of China, and, therefore, ultimately to this nation itself. Chinese students, business and professional men of all kinds—not only merchants, but bankers, doctors, manufacturers, professors, travelers and the like—should be encouraged to come here and treated on precisely the same footing that we treat students, business men, travelers and the like of other nations. . . . There would not be the least danger that any such provision would result in any relaxation of the law about laborers. These will under all conditions be kept out absolutely. But it will be more easy to see that both justice and courtesy are shown, as they ought to be shown, to other Chinese, if the law or treaty is framed as above suggested. Examinations should be completed at the port of departure from China.

In this message the President recommended that the laws be so altered as to permit the exempt classes, that is, those not laborers, to come and go freely, with the privileges granted to the same classes of other nationalities.

In his annual report to the President in 1907, Hon. Oscar S. Straus, Secretary of Commerce and Labor, said:

The real purpose of the government's policy is to exclude a particular and well-defined class, leaving other classes of Chinese, except as they, together with all other foreigners, may be included within the prohibitions of the general immigration laws, as free to come and go as the citizens or subjects of any other nation. As the laws are framed, however, it would appear that the purpose was rigidly to exclude persons of the Chinese race in general and to admit only such persons of the race as fall within certain expressly stated exemptions—as if, in other words, exclusion was the rule

and admission the exception. I regard this feature of the present laws as unnecessary and fraught with irritating consequences.

The editor of a well-known Chinese paper in San Francisco, in a pamphlet on the treatment of the exempt classes of Chinese in the United States, states: "Chinese laborers of all classes have been excluded from the United States by mutual agreement, and the Chinese themselves are not now asking for any change in this arrangement, but they do ask for as fair treatment as other nationalities receive in relation to the exempt classes." He adds: "It is well known that the discourteous treatment of merchants and students by immigration officials was the principal cause of the boycott of American products in China in 1905."

In closing, the same writer quotes from an address delivered by Hon. William H. Taft when Secretary of War:

Is it just that for the purpose of excluding or preventing perhaps one hundred Chinese coolies from slipping into this country against the law, we should subject an equal number of Chinese merchants and students of high character to an examination of such an inquisitorial, humiliating, insulting and physically uncomfortable character as to discourage altogether the coming of merchants and students? . . .

Is it not the duty of members of Congress and of the Executive to disregard the unreasonable demand of a portion of the community, deeply prejudiced upon this subject in the Far West, and insist on extending justice and courtesy to a people from whom we are deriving and are likely to derive such immense benefit in the way of international trade?

In view of these statements from the highest American official authorities and from eminent Chinese in America and China, it should not surprise us that both the Chinese government and the Chinese people feel outraged and forcibly manifest their indignation and resentment. A tangible expression of this feeling in China was the boycott of American goods in 1905, which was not, I believe, a protest against the exclusion of Chinese laborers, but against the ill treatment of the exempt classes by our officials.

The statement of the Chinese editor previously quoted regarding the boycott is particularly significant in this connection. I had occasion to investigate the whole matter with much care. Statements made to me by the Chinese consul of San Francisco, a Yale graduate, by another university graduate, one of the secretaries of

a recent imperial Chinese commission, by a Chinese Yale student highly commended by both faculty and students as to character and ability, by a former president of the Chinese Merchants' Association, and by Chinese merchants of Boston, New York and Buffalo, were all to the same effect. All admitted that Chinese merchants in America had substantially contributed to the boycott of American goods in China. My informants, however, unanimously denied that resentment aroused by our exclusion of Chinese laborers was the inciting cause.¹ But they asserted that the brutal treatment of merchants and students, belonging to the exempt classes, when seeking admission to this country, the blackmail merchants had been forced by subordinate government officials to pay for privileges to which they were legally entitled and the lack of security of person and property which they had experienced led them to aid the boycott. They alleged, however, that they were as anxious as our government to prevent the smuggling of laborers into this country and assigned three reasons therefor: first, such smuggling of ignorant laborers gave the Chinese merchants a bad name and hence injured their business; second, the smuggled coolies came to them in distress and were a financial burden upon them; third, these smuggled coolies often became low grade merchants and managers of disreputable dens, thus further discrediting the merchant class.

The Chinese merchants also bitterly complained of the selection of interpreters made by our government. The merchants held that these interpreters were not in any sense representative of the better elements of the Chinese communities. So strongly did the Chinese Merchants' Association of New York distrust the interpreter assigned to that port, that in 1903 it endorsed its president, a Chinese merchant of independent means, for the position of official interpreter. This position he agreed to accept in order to serve the Chinese community, though the salary was undoubtedly much smaller than the profits of his business.

Referring again to the boycott, it is but fair to state that our immigration officials in contradiction to the authorities above quoted, have insisted that the boycott was due to the desire of various classes in China and in this country to have the exclusion law so modified

¹It was doubtless true that *in China* American exclusion of Chinese laborers was denounced and that both Chinese merchants and students in their public speeches there condemned our government for its action.

that coolies could more easily be admitted. The Bureau of Immigration calls attention to the fact that in the years 1903 to 1905, inclusive, 1,245 certificates were issued in China to those declaring themselves to be merchants, but that 22 per cent of these applicants were obviously not members of the exempt classes but laborers not entitled to enter the country, and consequently were rejected. Regarding these statistics a report of the bureau states: "It is confidently believed that many, perhaps a majority of the remaining 968, were also laborers, but had been so carefully coached and prepared beforehand that it was not possible to 'controvert' the prima facie evidence of their certificates and whose admission, therefore, was unavoidable." The bureau also calls attention to the fact that out of 2,218 Chinese who applied for admission to this country during the years 1904 and 1905, 642, or about 35 per cent, were rejected. The bureau believes the business of smuggling Chinese coolies to be so profitable that a large proportion of the Chinese merchants in this country have been directly or indirectly interested in it. A pamphlet issued by the bureau containing an elaborate defense of its action in a number of cases where its officials had been criticized, seeks to establish that the officials have merely enforced the exact provisions of the law and that difficulties have resulted only where individuals have failed to supply themselves with the admission papers required by our laws. But these views of the Bureau of Immigration do not seem to me sound, and its statements in regard to our Chinese communities unduly emphasize the dark side.

If the free admission of Chinese coolies were the price of a better understanding with China, it could not be paid. With but few exceptions it may be accepted as the universal judgment of our country that the admission of Chinese laborers with their low standard of living would injure the just interests of American labor, embitter our politics by another race issue, establish congested Chinese communities difficult to regulate, and be in many other ways an injury to our country and an embarrassment to local and national administrations. Chinese laborers must, therefore, be excluded.

The successful and tactful exclusion of the resourceful coolies is, it must be admitted, a very difficult task. It is my purpose to indicate the main difficulties in the way of the enforcement of the

exclusion law and to point out that the task could be made easier and the immigration service more efficient through a more intelligent understanding of the whole situation and through the exercise of proper discrimination in the enforcement of the law.

It is of course impossible to state how many Chinese enter our country each year illegally. From reliable information which I received in 1907, I estimated that during that year from 2,000 to 5,000 crossed our borders. In an official report of facts concerning the enforcement of the Chinese exclusion laws published by the Bureau of Immigration in 1906, it was stated that the "bureau does not hesitate to express the opinion that many Chinamen, perhaps hundreds, cross the Mexican boundary into the United States every year." The inspector in charge at El Paso stated in his annual report dated June 30, 1905, that "during the past fiscal year 486 coolies are known to have arrived in Juarez, probably forty-six coolies found employment in Juarez, practically one hundred left for other border points, so that approximately 320 coolies have disappeared near the international boundary line in the vicinity of El Paso, and doubtless gained unlawful entry." He adds that it is believed that "the handling (*i. e.*, smuggling) of Chinese coolies is the sole occupation of perhaps one-third of the Chinese population of El Paso." It may be explained that El Paso is directly across the Rio Grande from the Mexican city of Juarez and favorably located for smuggling.

Smuggling on the Mexican border and on the northwestern Canadian border is well known, but few probably realize that smuggling of coolies goes on steadily across the northeastern Canadian border and into the cities of New York and Boston. In 1906 I learned that during the months of July, August and September about seventy-five coolies were smuggled into the port of Boston. During the spring of 1907 I was informed by Chinese merchants in Buffalo that from two to four coolies were being smuggled into that port weekly.

The smuggling business is very profitable. From \$200 to \$300 is said to be charged for bringing in a coolie, the latter being compelled to pay off his debt from his first earnings after his entrance into the country. Dr. J. Endicott Gardiner, an inspector and chief interpreter at San Francisco, estimated the cost of bringing a coolie from China and landing him in New York State to be

\$300. The items reported are significant: \$20 for the perjured testimony, \$20 as commission to the middleman for obtaining the applicant, \$20 toward what is called 'the government interpreter's fund,' \$80 for the attorney, and the balance for transportation, incidental expenses, and the members of the ring." These figures agree with my own inquiries and are probably a fair average of the amount expended and the method of its distribution.

Several difficulties in the enforcement of the law must be admitted. First: Long stretches of territory covering thousands of miles must be protected by a few moderately paid officials, many of whom occupy uncomfortable quarters on the border most unwillingly. While on the whole, most of them probably render honest service during regular working hours, it is not surprising that they are indisposed to turn night into day in order to catch a few alert Chinamen whose resources or those of their friends seem to be unlimited, since they always have friends on the American side ready to help them and can always secure the help of able American counsel in case our officials are guilty of any technical error in procedure.

Second: Because of the high prices paid for smuggling Chinamen, the smuggling system has been well organized. The band of smugglers at any given point usually consists of one or two American citizens, a couple of Chinamen, with sometimes a Chinese interpreter or an immigrant inspector as side partners. The service rendered by the dishonest inspector is usually to "tip off" the doings of the other officials. He may also give notice that on a certain night the inspectors may not be on duty or will be watching at a particular point, leaving other points uncovered. Allied with the smugglers and dishonest officials are the train hands on freight trains crossing the Mexican and Canadian borders. A brakeman can always secure \$15 apiece for every Chinaman allowed to crawl into an empty freight car or otherwise conceal himself on the train with the brakeman's assistance or connivance. A conductor may get more. Undoubtedly some trainmen refuse to engage in this traffic, but many yield to the temptation to make a few dollars "on the side." The sentiment of the majority seems not to condemn the practice of smuggling Chinamen, especially as the help required from the trainmen is usually negative. It was recently stated by a high official of one of the railway unions that such smuggling could

be stopped if the trainmen's unions would take aggressive action to suppress it.

In view, therefore, of the extent of territory to be protected, the money available for bribery and the number of American and Chinese smugglers, it must be admitted that the enforcement of the exclusion law is difficult. But an examination of the facts leads one to the conclusion that certain important improvements in the service could and should be instituted.

First: The Chinese interpreters should be of a better grade. Our immigrant officials are largely in the hands of Chinese interpreters. This is inevitable, as few Americans speak Chinese. The dialects spoken by the Chinese coolies are unknown to Americans, except missionaries. The statements of the Chinese interpreters as a rule are, therefore, final and authoritative. Two or three interpreters whom I know are men of excellent character and have rendered faithful and loyal service, meriting high praise as well as more substantial compensation than they have received. Careful inquiry regarding the majority, however, shows that their origin and education do not sufficiently qualify them for the task. Ordinary laundrymen and low grade Chinese waiters have often been made interpreters. Such interpreters, if honest, are not likely to be equal to the task given them and their associates are probably in the coolie class of each community. Many of their most intimate friends and daily associates have entered the country in violation of the law. Why should they not favor their friends if they can do so when the chances of their being caught are very slight? With every appearance of honesty, strengthened by ostentatious roughness toward their countrymen in the presence of inspectors, they can entirely thwart the efforts of inspectors by tipping off intended raids, by informing their smuggler friends of the intended action of the inspectors, or by misinterpreting or mistranslating. The weak point, which is also the essential point, of our whole exclusion work rests with the Chinese interpreters, and if exclusion is to be effective, this service must be entrusted to intelligent men whose habits and associations are well known. These interpreters should be drawn not from the coolie class, as has been too largely the case in the past, but from the merchant class, since the latter class, as I have indicated, favors the enforcement of the exclusion law. It would be wise to establish these men in grades so that faithful and

efficient service would be rewarded by promotion and increased pay.

Upon a suggestion that I made two or three years ago a chief interpreter was appointed to have supervision over the entire force of interpreters. The first selection was, however, unfortunate, and after some delay the incumbent was removed. Such a supervisory official, however, is highly important to both the honesty and efficiency of the service.

The second important improvement should be a more careful distinction between the different classes of Chinamen. With some exceptions the immigration officials have failed utterly to establish friendly relations with those Chinamen who are in sympathy with the exclusion law, thereby to secure their coöperation in its enforcement. As previously indicated, the writer learned that a large body of Chinese merchants in this country is unfavorable to the importation of coolies and anxious to see the exclusion law strictly enforced.

How valuable their help might be is illustrated by a personal experience. In the summer of 1906, upon the request and authorization of President Roosevelt, I investigated the smuggling of coolies. Having established friendly relations with Chinese merchants in several eastern cities, I asked proof of their assertion that they knew that smuggling of coolies was then going on and that they were willing to join in its suppression. They agreed to make good both on their charge of smuggling and on their ability and willingness to help in its detection. The city of Boston was selected to test their declarations. The Chinese merchants of that city declared that in July and August of that year two parties of coolies, numbering about fifty, had been smuggled into that city by sailboat from Newfoundland under the very noses of the immigration officials. They stated that a third party would arrive in September and that I should be fully informed so that I could witness its landing. In due time I was told that the party had left St. Johns in a chartered yacht and would land on the New England coast at a certain date. Shortly before its arrival a notice in Chinese appeared on the walls of Chinatown in Boston warning the friends of the incoming coolies that the government had learned of their approach. The government's information came about in this way: It chanced that one of the smugglers upon the receipt of his pay for the August expedition got drunk and openly boasted of his smuggling achievement.

Through his statements suspicions were excited which resulted in the discovery of the projected September expedition. An inspector was sent to Halifax to head off the coolies at that point, but the fact that the inspector had been sent and the assumed name under which he traveled were given out by the chief Chinese inspector to the Boston press before the inspector reached Halifax. This useful information was probably telegraphed at once to the Chinese in Halifax.

On the morning of the landing of the coolies a Boston paper stated that a United States revenue cutter had been sent at full speed to Portland, Maine, as the government had been led to believe that the coolies were to be landed at that point. On the same day, upon information furnished by my friends, the Chinese merchants, I proceeded to Providence, where I witnessed the actual landing of the party at two o'clock in the morning. A description of the assistant smuggler who would receive the party, the time of his arrival in Providence from Boston, and the house to which he would go and to which the coolies would be taken were told me in advance. I personally verified all these particulars. This information was given to me because a former Chinese inspector who had the wisdom to establish friendly relations with the Chinese merchants and had treated them courteously put me in touch with them and backed my request for assistance.

This party of coolies would probably have been successfully entered without the Bureau of Immigration being any the wiser, but that, after the first two lots had been landed and housed, the smugglers felt so secure that they landed the rest of the coolies in a group. Several of these were found hiding in the grass by some workmen, who telephoned to the police and this remnant of the party was arrested.

I am quite aware that it is generally believed that the Chinese communities in our cities are composed of gamblers, opium eaters, smugglers and other law breakers. Doubtless these communities have their fair proportion of disorderly characters, but they do not monopolize gambling games in our cities, and though some of them take opium instead of alcohol, the difference is one of taste rather than character. There are, however, in our eastern cities, at least in each Chinese community, a considerable number of reputable, intelligent merchants devoting themselves strictly to business, living

orderly lives and desiring to be law-abiding and law-promoting citizens. These men who may not be known to the police or to our slumming parties, might be sought out by our officials, and as I have shown from my own experience, they could render invaluable service in making our exclusion laws effective.

A short time before the smuggling expedition just described, I had an interview with five Chinese merchants in Boston. One of them had a son at Harvard, and another a son at Yale. They talked as soberly and fairly as successful American merchants would have talked and explained fully to me the difficulties under which they were living in our country and the indignities to which they had been subjected by American immigration officials. It was only after they were convinced of my own good will and my authority to speak for the President that I secured their coöperation. Once pledged, however, their word was loyally kept; they never failed me at any point and made good though much trouble and effort were required to do so.

The third important improvement should be in the better organization of the Bureau of Immigration. The present organization of the bureau seems to me to be inadequate for its important tasks. It has two functions of a fundamentally different nature; the reception and handling of immigrants entering the Atlantic ports, of whom 98 per cent are admitted after careful sifting, and the reception and exclusion of Oriental immigrants on the Pacific coast which is quite the reverse of that on the Atlantic coast. The stations on the Pacific coast are far apart, some of them remote and uncomfortable. They need frequent visiting by proper officials constantly in touch and in correspondence with the heads of these offices. The Chinese or Oriental bureau should, therefore, in my opinion, be organized independently with its own chief and a deputy chief or general supervisor.

A fourth needed improvement of the highest importance is the thorough examination by the American consuls in China of Chinese applying for admission to this country. As President Roosevelt stated the case in his annual message to Congress in 1905: "Examinations should be completed at the port of departure." Additions to the office force of various consuls were recommended by President Roosevelt so that this added work might be promptly and thoroughly performed. The task of the immigration officials

at the ports of entry would then be merely to satisfy themselves that those producing the consular certificates were the parties to whom they had been issued.

The late Commissioner General Sargent recommended, I believe, that special commissioners of immigration should be placed at Hongkong and Shanghai, who should investigate and issue certificates. This would place the entire matter under the Bureau of Immigration and would eliminate misunderstanding or friction between government departments. Either of these remedies would contribute to the more successful exclusion of coolies and the elimination of delays and discourtesies in dealing with the exempt classes. The enforcement of the exclusion law at best is attendant with many difficulties. Its defective or brutal enforcement may embarrass our relations with China and seriously injure our commercial and diplomatic relations with the entire East. These relations are recognized to be of growing importance demanding the most serious attention.

Our own ignorance of Chinese conditions and classes both in China and in this country and our ignorance of the Chinese language which compels us to accept implicitly the statements of Chinese interpreters, are serious handicaps in our dealing with the Chinese. Our past failure to secure interpreters of proper grade, our consequent inability properly to handle the exempt classes, and the untrustworthiness of the certificates supplied by our own consuls have further augmented our difficulties. At present our consular service is undoubtedly far more trustworthy than formerly. Its investigations could prevent the abuse of consular certificates and could remove the delays and indignities endured by members of the exempt classes at our ports. Improvement in the grade and intelligence of interpreters, proper promotion for efficient service, establishment of the Chinese bureau as an independent branch of the immigration service under able management, the relentless pursuit of smugglers, both American and Chinese, and a better understanding of the Chinese communities in this country would make our exclusion policy more successful and promote good will in our political and commercial relations with the Orient.

PART FOUR

*The Problem of Oriental Immigration
Outside of America*

SOURCES AND CAUSES OF JAPANESE EMIGRATION

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ORIENTAL IMMIGRATION INTO THE PHILIPPINES

BY RUSSELL McCULLOCH STORY, A.M.,

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ORIENTAL LABOR IN SOUTH AFRICA

BY L. E. NEAME,

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COLONIES"

JAPANESE IMMIGRATION INTO KOREA

BY THOMAS F. MILLARD,

NEW YORK CITY; AUTHOR OF "THE NEW FAR EAST" AND "AMERICA AND THE
FAR EASTERN QUESTION"

THE EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA

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SOURCES AND CAUSES OF JAPANESE EMIGRATION

BY YOSABURO YOSHIDA,
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"Home, home, sweet home, there's no place like home." Yet, leaving the fatherland of mountains and waters, many a Japanese seeks a new life in a strange land across the Pacific. There must be strong causes for this movement.

The question arises whether there is any political pressure upon the emigrant. Japan is one of the most progressive nations in the world, and there exists no discontent with the present rule of the constitutional government. Is there any religious cause bringing him here? Article eighteen of the imperial constitution guarantees freedom of religious belief. No persecution for difference of religion exists, as neither Buddhist nor Christian is treated as heathen in Japan. Is there any race prejudice or animosity? The whole Japanese population is of one race, consequently there is no oppressed race nor one dominant over another. Does the strict operation of the law enforcing military duty drive a portion of her youths here? No people are more patriotic than this race of little brown men. The fifty millions of Japanese souls will gladly throw their bodies into fire at command of their Great Sire.

Then, what are the causes of Japanese emigration? I recognize and shall discuss three: increase of population, economic pressure, and inducement, or attraction.

Increase of Population

Increase of population is closely connected with economic pressure upon the laboring classes. But I shall describe here chiefly the former, and will discuss the latter afterwards.

No statistics of Japanese population are reliable until 1872. The increasing rate since that year has been as follows:¹

Year.	Per Cent.	Year.	Per Cent
1872 .....	.57	1890 .....	.95
1873 .....	.98	1891 .....	.66
1874	1.11	1892 .....	.91
1875	1.00	1893 .....	.73
1876 .....	...	1894	1.03
1877 .....	...	1895	1.09
1878 .....	...	1896	1.04
1879 .....	.45	1897	1.22
1880	1.20	1898	1.24
1881 .....	.94	1899	1.14
1882 .....	.86	1900	1.25
1883	1.17	1901	1.39
1884	1.11	1902	1.29
1885 .....	.84	1903	1.54
1886 .....	.84	1904	1.14
1887	1.46	1905	1.13
1888	1.38	1906	1.14
1889	1.17	1907	1.15

The above figures show that population is increasing year after year, and if the increase continues at the present rate the population will be doubled after sixty years.

Population increases, but the area of the land is limited, consequently the density of population per square ri² has been increasing at the following rates: 1872, 1,335; 1882, 1,385; 1892, 1,657; 1903, 1,885.

According to the general statistics, Japan in density of population ranks below only Belgium, Holland and England. These three nations get their food materials by importation from other countries; Japan is feeding herself.

I have described the rapid growth of population in Japan as a whole, but, if we ask ourselves whether those districts where population is most dense are the districts which contribute the largest number of emigrants, our answer is negative. The districts of Hiroshima, Yamaguchi, Wakayama and Fukuoka are not very dense in population, and their birth rates are also less than the average rate for the whole of Japan.³ Yet these districts always contribute the

¹"The Financial and Economic Annual of Japan," 1905, p. 3; 1907, p. 2.

²Square ri equals 5.9552 square miles.

³"Mouvement de la population de L'empire du Japon," 1905, Proportion, P. 1.

dominant number to Japanese emigration. The districts of Kinai, where the successive emperors fixed their capital for more than twenty-five centuries, and where consequently the population is the most dense in the country, are not sections which drive emigrants abroad. Because of these facts, some writers urge that there is no direct connection between increasing population and Japanese emigration.⁴

But I consider the density of population a cause of emigration if we take the country as a whole. It is not the cause if we take district by district. The reason is very evident. Although some districts are very densely populated, if their economic capacity is sufficient to maintain their population, then it is not necessary to migrate. Furthermore, the peculiar character and environment of the people differ by districts. For example, the region of Kinai, with charming scenery, although crowded with a toiling population, renders the nature of the people very strong in home affection. Moreover, the family system is very ancient, and the people are amiable and submissive. On the contrary, the people of the regions from Hiroshima extending towards the southwestern districts, are venturesome and enterprising. The districts in Kinai have been the home of poets, artists and men of letters, while the southwestern part has supported pirates and warriors. That the increasing population is a profound cause for emigration can be seen more clearly if we consider it in connection with the economic pressure upon Japan's lower classes.

Economic Pressure

In this world-stage of the twentieth century, where many nations are competing with each other to become the dominant power, the rapid growth of population is a rather happy and desirable thing for our island empire, situated on the Eastern Sea. But this great movement, necessary from the viewpoint of further expansion of the empire, has a bad effect upon the classes who are toiling at the bottom of the present community. "The more poor the more babies," the Japanese proverb frankly runs. It is from these lower class people that the largest number of children come, and consequently the increase of population brings more laborers. The competition among the working classes in a country where the

⁴T. Okawahira, "The Nippon Imin-ron," Tokyo, 1905, pp. 36-37.

area of land is limited, where no national labor organization exists, where no labor legislation operates, results in vast millions of struggling creatures spending their daily lives under the economic pressure of landlords and capitalists in a hopeless and stricken condition.

The area of the cultivated land was only 5,193,762 cho in 1904,⁵ that is, 17 per cent of the whole area. The average holding of land owned by one farmer is only 9 tan 8 se.⁶ The annual yield from such a small piece of land, less than three acres, even under the most perfect system of utilization, is absolutely insufficient to support a family according to modern standards of comfort. Under such an economic condition the peasant class, which constitutes the bulk of the Japanese emigration to the United States, are spending their days. The fact that the districts which contribute the largest number of emigrants contain always the greatest percentage of the peasant class is shown below.

Geographical Sources of Emigrants

Basing our figures upon the number of passports issued by each district during the five years from 1899 to 1903, the number of emigrants to foreign countries, excluding Korea and China, is as follows:⁷

TABLE I.

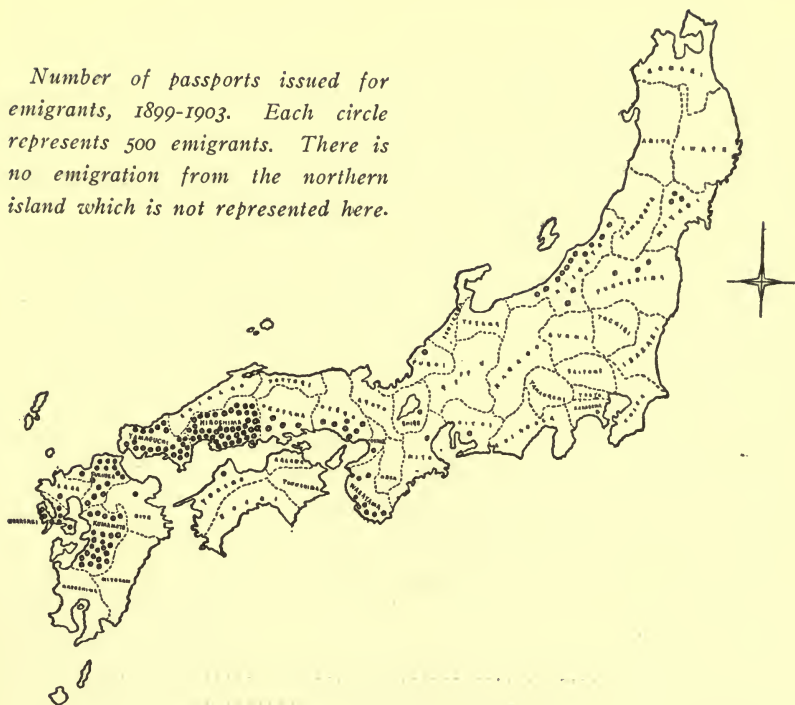
District.	No. of passports issued.	District.	No. of passports issued.
Hiroshima	21,871	Fukushima	1,613
Kumamoto	12,149	Yehime	948
Yamaguchi	11,219	Aichi	767
Fukuoka	7,698	Fukui	683
Niigata	6,698	Shiga	646
Wakayama	3,750	Saga	624
Nagasaki	3,548	Twenty-seven other districts.	5,041
Hyogo	3,532		
Okayama	2,176	Total	84,576
Miyagi	1,613		

⁵M. Togo, "The Nippon Shokumin-ron," Tokyo, 1906, p. 180. A cho equals 2.4507 acres.

⁶Tan equals 0.2451 acre, Se equals 119 square yards.

⁷M. Togo, "The Nippon Shokumin-ron," pp. 269-271; also Okawabira, "The Nippon Imin-ron," pp. 38-40.

Number of passports issued for emigrants, 1899-1903. Each circle represents 500 emigrants. There is no emigration from the northern island which is not represented here.



Although the above statistics include emigrants to all foreign countries excepting China and Korea, more than 80 per cent of the total number came to the United States. The area of farm land cultivated by the Japanese in the State of California in 1908, classified by their native districts, was as follows:

TABLE II.*

Cultivated by immigrants from the district of—	Area of farm land in California—acres.
Hiroshima	33,443
Wakayama	30,905
Fukuoka	14,833
Kumamoto	14,827
Yamaguchi	10,598
Aichi	10,268
Okayama	6,334
Other districts	33,594½
Total	154,802½

*"The Japanese-American Year Book," 1909, the first appendix, pp. 3-4.

The table indicates that the immigrants from the district of Hiroshima⁹ cultivate the largest area of farm land. Next comes the district of Wakayama. Each district controls about one-fifth of all the farm land cultivated by the Japanese in California. In 1905 nearly 50,000 of the 74,000 total Japanese population in Hawaii were from the three districts of Hiroshima, Kumamoto and Yamaguchi.¹⁰

I have already mentioned the geographical section of Japan from which most of her emigrants come. Then, what is the peculiar character of those people? What are the economic conditions in those districts? Generally speaking, the people of the Sanyodo, where the districts of Hiroshima, Yamaguchi and Okayama are situated, were warriors in the feudal ages; and, the districts being along the coast, the people were accustomed to go to sea, and were venturesome and eager to satisfy new wants. The fundamental cause of emigration is the economic condition of the districts. The percentage of small farmers in those districts is as follows:

TABLE III.¹¹

Districts.	Percentage of agricultural families which cultivate less than 8 tan.
Hiroshima	70
Wakayama	Unknown
Fukuoka	56
Kumamoto	Unknown
Yamaguchi	61
Aichi	Unknown
Okayama	66
Hyogo	73
Yehime	68

The number of small farmers is more than 50 per cent in all the above districts. Hyogo is the district which is populated with

⁹"Most emigrants in the district of Hiroshima come from the counties of Aki, Saeki, Takada, and cities of Hiroshima and Toyoda. When they start as emigrants, their land and houses are in the hands of landlords; their position is that of small tenant. But when they come back after four or five years' labor abroad, they usually buy a house and two or three tans of farm land, and become independent farmers, or merchants. . . . About six-tenths of all emigrants succeed in this way," etc.—"The Osaka Mainichi Shimbun," November 9, 1904, quoted by Okawahira.

¹⁰T. Okawahira, "The Nippon Imin-ron," p. 89.

¹¹These statistics are based upon an investigation made by the Department of Agriculture and Commerce of Japan in 1888; it is presumed that there is not much change in the present condition.

the largest percentage of small farmers of all districts in Japan. The district of Hiroshima, the center of emigration, comes next with its 70 per cent of peasant families. If we investigate the average area of cultivated land per capita of the agricultural population in the respective districts, the effect upon emigration can be seen with more clearness.

TABLE IV.¹²

	Tan.
Hiroshima .....	.11
Wakayama	Unknown
Fukuoka .....	.19
Kumamoto	Unknown
Yamaguchi .....	.17
Aichi	Unknown
Okayama .....	.15
Hyogo .....	.14
Nagasaki .....	.15
Yehime .....	.18

The average amount of farm land per capita in Hiroshima is not only the smallest among the above-mentioned immigrant districts, but also among all districts in Japan. Yamaguchi, Ohayama and Hyogo are also below the average.

A remarkable fact is noticeable here, that the district of Hiroshima, where the average holding of farm land was smallest among all Japanese districts in 1888, contributed the largest number of Japanese who cultivate farm land in America in 1908.

More than this, the wealth per capita in those districts is below the average amount of wealth per capita in Japan. According to Messrs. Igarashi and Takahashi,¹³ the average wealth per capita of Japan is 505.755 yen, while that of Hiroshima is 381.895, of Yamaguchi is 489.005, of Wakayama is 351.675, and so on.

Inducement and Attraction

No advertisement has ever appeared in the Japanese newspapers inducing emigrants to go to the United States. But the most effective advertisement is the stories of success of Japanese in America, which occasionally appear in the papers and magazines.

¹²M. Togo, "The Nippon Shokumin-ron," pp. 141-143.

¹³E. Igarashi and H. Takahashi, "The National Wealth of Japan," Table I.

Whenever certain Japanese return to Japan they talk with the newspaper reporter, telling how they struggled in a penniless condition, how they saved money, what industry they started, or how many acres of land they own in America. Such articles in a local newspaper, accompanied by illustrations, usually make a strong impression upon the young peasant or rough country lad. Thus, the account of success of Mr. Kinya Ushizima, the "potato king" in California, appeared many times before the public and, it seems, induced many emigrants to leave home, especially from the district of Fukuoka, from which Mr. Ushizima himself emigrated many years ago. The success of Mr. Domoto, as the greatest flower raiser west of the Rockies, attracted many young farmers from his native district of Wakayama.

There have been many pamphlets published, some printed in more than thirty editions, under such titles as "How to Succeed in America," "Guide Book to Different Occupations in America," "Guide Book to America," "The New Hawaii," etc. All these books are written by those who returned from America or are still resident in this country. Generally speaking, they have exaggerated the abundance of opportunities in the United States and have stimulated emigration in over-attractive descriptions. Correspondence with Japanese laborers who are already in this country has also some influence.¹⁴ But the sphere of this kind of inducement is very narrow, limited to the correspondent's relatives or friends at home. The inducements and attractions above mentioned are the result of the simple fact that labor earns more in America than in Japan.

The conclusion which can be drawn from the facts already mentioned in this paper is this, that a large proportion of the Japanese emigration comes from the peasant class in the districts of the south; and growing population, economic pressure and inducement or attraction combine to cause their emigration. No doubt there are countless minor causes operating on individuals, such as ill-luck in business, a bad crop of rice, sudden death of the devoted wife, frequent visits of the bill collectors, or simply desire to see great America. But the fundamental and principal causes are those already mentioned.

¹⁴"The Seventh Biennial Report of the Bureau of Labor Statistics of the State of California," 1896, p. 103.

Motives of Japanese Emigration by Classes

During the year 1906 the Japanese government issued 8,466 passports to the continental United States and 30,093 to Hawaii. The purposes for which the passports were granted were as follows:¹⁵

	Official Duties.	Study.	Commercial Business.	Agriculture and Fishing.	Artisan.	Labor.	Traveling.	Miscellaneous.
To the continental United States.....	43	2,825	1,215	1,046	22	462	2	2,851
To Hawaii	7	17	132	28,756	7	1,051	0	423

Among the eight groups above quoted, I take for discussion only two which include the greater portion of emigrants: the farmers and the students.

Farmers: This class consists of those who are engaged in agricultural pursuits, either as tenants or as farm laborers. They belong to the lower classes of the Japanese community, if not to the lowest of all. They are the real corner-stone of the nation, but they are poor. In this class of emigrants the most conservative, uneducated and innocent persons can be found. The greater number of them being quite ignorant of foreign conditions, they are usually cared for and transported by the so-called "emigration companies."¹⁶ Farm laborers whose daily wages are an average of only thirty-two sen¹⁷ (sixteen cents), have hardly an opportunity to accumulate money enough to escape from their own group. The sole motive of this emigration is simply "to make money," and nothing more.

Generally speaking, when a European emigrant is bidding farewell to his home, his intention is, perhaps, to go to a new land where he can start a new life. His desire is to find a new society around him and to build up a new home. In short, he is going to be an

¹⁵"The Twenty-sixth Annual Statistical Report of the Japanese Empire," p. 67.

¹⁶There were thirty-six companies or individuals engaging in exporting Japanese laborers in 1903, with capital ranging from 1,000,000 yen to 20,000 yen.

¹⁷"The Seventh Financial and Economic Annual of Japan," 1907, p. 75.

American himself. The contrary is true of the Japanese whose only desire is to build up a new home, not upon American soil, but in his native land. He desires to save a certain amount of money by a four or five-year struggle, and then, coming back to his own land, to start in business or become an independent farmer. He does not desire to exhibit the fruits of his toil before an American audience, but only before his fellow-countrymen.

Students: Since 1870 Japanese students have been coming to this country, and between 1885 and 1890, the period of political transformation to constitutional government, many students and politicians who failed to realize their ambitions came to this country. They worked as "school boys" or domestic servants and studied in leisure moments. The students in those days were able to get kind assistance from the Board of Foreign Missions in this country.¹⁸ When they returned to Japan after several years' hard study, they were offered responsible positions in governmental service, as Japan was eager to adopt western institutions. Among those old "school boys" to-day many distinguished persons can be found: diplomatists, educators and writers.

At present many students are coming to this country, more than 90 per cent of them with scanty means, but with high ambitions, recalling the old days of their eminent forerunners. There were 951 students in a total of 2,261 Japanese immigrants admitted during the three months of April, May and June of 1907,¹⁹ and of the total number, 9,544, admitted to continental America in 1908, 2,252 were students.²⁰ Estimating from the above statistics, the number of students who have come to this country since the early period runs into the thousands.

These students are graduates of Japanese high schools or certain professional institutions. They cross the ocean with abundance of hope, determined to dare what those famous Japanese used to dare years ago. Their ambition is to study, but most of them, perhaps 999 in 1,000, after undergoing bitter experiences in isolation, usually lose their ambition and take up other vocations. Thus a Japanese servant confesses before the American public, that "Some say the Japanese are studying while they are working in the kitchen, but it

¹⁸I. Nitobe, "The Intercourse between the United States and Japan," Baltimore, 1891, pp. 165-6.

¹⁹"Annual Report of the Commissioner-General of Immigration," 1907, p. 76.

²⁰*Ibid.*, 1908, p. 90.

is all nonsense. Many of them started so, but nearly all of them failed."²¹

The difficulty of studying as self-supporting students changes those students to common domestic servants or farm laborers. Their intentions were laudable and their hopes were very high; but later these intentions and hopes, which they ever declared before parents and sweethearts, must be cast away after much discouragement. The man who fails of his expected goal in a strange land after a long struggle naturally becomes, in most cases, irresponsible. Among the gang of laborers which sail to Alaska every spring you may find many young Japanese who quitted their native land to study American civilization in college classes. They are "not only lazy and worthless, but are constantly raising a disturbance."²²

The two classes mentioned here are not the lowest people of the low classes, nor the worst and most unfit people. There is a certain defective class of people, such as tramps, beggars, ex-convicts and paupers, in Japan as elsewhere. They have no ambition to elevate their own standard of living by any economic means. They are spending a dull, changeless life in an ever-changing community. If any person in this country believes that the Japanese government sends or encourages these undesirable people to emigrate to this country it is a great mistake. This class of people has no relation to the dynamic side of the Japanese community. Even in dreams they would not desire to migrate far away over the ocean to the land of opportunity. Opportunity is worthless to them, for they are satisfied in their own condition.

²¹"The Confession of a Japanese Servant," "Independent," Vol. 59, p. 667.

²²"The Bulletin of the United States Fish Commission," Vol. XXI, 1901, p. 185.

ORIENTAL IMMIGRATION INTO THE PHILIPPINES

BY RUSSELL McCULLOCH STORY, A.M.,
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The problems of immigration with which the United States has had to deal have not been confined, since 1899, to the Western Hemisphere alone. The importance of regulating immigration into the Philippines was early realized after their acquisition by this country. The questions to be met were in many ways more complex than those connected with immigration into the United States, owing, in part, to the proximity of the islands to the Asiatic mainland. The solutions possible were restricted within the limits determined by American law, peonage and serfdom in any form thus being impossible; and in addition the attitude of the Filipino peoples on the general question was, of necessity, a consideration of fundamental importance. Fortunately, in the latter case, there has been no great difference in sentiment between the governed race and its governors.

The majority of Oriental immigrants into the Philippines have been furnished by China and Japan. China alone contributes almost the entire body of immigrants that seek admission from Asiatic countries into the islands. Hence, as far as the Philippines are concerned, the question of Oriental immigration almost resolves itself into a discussion of the policy of Chinese exclusion which has been carried out by the United States' administration of the archipelago.¹ For this reason the chief attention in the following pages is given to the questions arising from the presence or exclusion of the Chinese immigrants.

No one can study the reports of the Schurman and subsequent Philippine commissions, or the Philippine census reports, and fail to be impressed with the wonderful resources of the Philippines. It was the expectation of the civilized world that following their acquisition by the United States a tremendous impetus would be

¹Cf. "The Problem of the Chinese in the Philippines," in "The American Political Science Review," February, 1909.

given to the development of these resources. This expectation early gained ground in China, and the Chinese government was keenly alive to the opportunities which might thus be opened up to the activities of many of its citizens. Even before the action of the United States military in applying the exclusion laws of the United States to the Philippines, the State Department at Washington had been given to understand that China would protest against any such action.

The basis for exclusion in the Philippines must rest almost entirely on three propositions, viz., the right of the Filipino races to develop themselves and their own resources, racial and commercial, without the assistance or stimulating presence of the Chinese; a desire to prevent the growth of a racial question through the antagonism or unfortunate amalgamation of two different races such as the Malay and the Mongolian; and in the third place the desire of the United States to be able to sustain its own immigration and exclusion laws against possible migrations of Chinese from the Philippines to the States.

A study of the immigration statistics since 1898 shows that the greatest number of Chinese entering the islands was immediately following American occupation. This high tide continued until 1904, despite the exclusion restrictions, the excess of arrivals over departures up to 1904 being 8,562. In the same year the registration of the Chinese showed that there were approximately fifty thousand of them resident in the Philippines. This number has steadily increased since that time, though the gross number of Chinese immigrants has apparently been very largely decreased. Still the net gain the past four years has been 8,259. This probably does not allow for the entire gain. There has been considerable smuggling in of coolies. Other evasions of the exclusion laws, such as the bringing in of "minor children" by the present residents, have been the subjects of notice in the reports of the Philippine commission. Companies and firms have existed at the principal ports of China for the express purpose of aiding the emigrant to gain a footing on the shores of the Philippine "el dorado" by hook or by crook. Thus, while the government figures place the present number of Chinese residents at 56,000, the consular and other estimates are much higher, ranging up to 62,000. The 1908 report of the Philippine commission admits that the exclusion laws have *not decreased* the

Chinese population, nor even held it stationary. There has probably been some slight decrease, estimated at 3,000, in the city of Manila, but in the provinces the Chinese have much more than doubled their number in the last ten years.

As to the Oriental immigrants other than Chinese, the greatest number since American occupation have been Japanese, the number from Japan increasing steadily each year until 1904, when there were 2,270 arrivals, but since 1905 the number has dwindled to less than 400 annually. The Japanese population is not large and seems to be in no immediate prospect of increasing greatly. They have never been a strong element in the Philippines, even in the long period of Spanish rule. Japan's surplus population is just now expanding in the direction of the mainland, chiefly into Korea and its hinterland. From the Japanese element of the immigration into the Philippines, therefore, the United States and the Philippine government need not expect any serious problem.

Of the other Asiatics all together there have not been more than 300 arrivals in any one year since 1904, and this would bring us to the conclusion that the net number of these immigrants was very small and practically a negligible quantity. Such as this element is, it consists about half of East Indian races and the other half of all the other Oriental races in isolated and scattering numbers.

The foregoing figures show the predominant part which Chinese immigration plays in any consideration of the problems now existing due to the regulation of Oriental immigration into the Philippines. What then are these problems? Briefly stated, they are as follows:

First, the antagonism between the Chinese and the native races, due, in no small degree, to the ability of the Chinese in all the activities of life and his demonstrated superiority in trade. This antagonism has in no measure been lessened by the American administration, under the leadership of which the tendency has been to elevate the standards of living among the natives and thus make their competition with the shrewd Chinese even more strenuous.

Second, the doubtful good which follows the infusion of Chinese blood into the Filipino race. It is realized that the chief trouble makers, politically and socially, come from the ranks of the *mestizos*.

Third, the lack of a sufficient and an efficient labor supply for the development of the industrial possibilities of the Philippines.

The reality of this problem has been questioned by many employers of Filipino laborers.

Fourth, a constant and a conscious effort to avoid complicating the work of the exclusion laws in the United States, because of the efforts of those who have first gone to the Philippines in trying to come thence into the United States.

Fifth, the problem of the enforcement of exclusion in the Philippines.

In regard to the antagonism between the natives and the alien Orientals there can be no doubt of its existence as an appreciable element in any analysis of Philippine conditions. From the first the slogan has been adopted of "The Philippines for the Filipinos," and this sentiment has found a hearty approval among the native peoples, or at least among those elements of the native population that are capable of understanding the situation. It has ever been considered unwise as a matter of public policy to force an unrestricted immigration upon the Filipinos, whether the exclusion of those alien races which are debarred, especially the Chinese, is justifiable on other grounds or not.

From the point of view of the future of the Filipino people it is a serious question whether or not it would be of benefit to them to lose racial identity in a process of amalgamation that would necessarily follow from the admission of large numbers of Chinese, for example. Few races are as willing to join in a process of amalgamation as is the Chinese. They are remarkably free from the sentiments, pride or prejudice which in many instances thwart amalgamation when two unequal races are thrown constantly together. Many claim that the infusion of Chinese blood into the Filipino races would materially aid and hasten the work of building up the latter into a strong and perhaps more unified people. On the one hand the progressiveness of the mestizo and his abounding energy is contrasted with the lesser ambition of the native. But the answer to this contention cites the appearance of the worst characteristics of both the Filipino and the Chinese races in the half-breed, and the fact that the chief trouble makers in the recent history of the islands have been mestizos. The hope entertained by those opposed to amalgamation is that the number of Chinese now in the islands is proportionately so small that they will ultimately be ab-

sorbed and lost in the native mass without appreciably affecting the racial characteristics of the latter.

The most immediate and pressing effect of the exclusion of the Chinese and Japanese from the Philippines is upon the supply of labor. The natives have had to be taught to work, and although wonderful progress is noted in this regard among the Filipinos, yet there has not been an efficient labor supply proportionate to the demands and opportunities for the speedy opening up of the resources at hand. From all sides have come complaints, from merchants, contractors, manufacturers and from army engineers. The inability to get the coolie, however, has forced the use of the native, the study of his ability and the methods of handling him, and in an increasingly large number of instances with signal success. The dearth of labor supply has not been so much due to the absence of the coolie as to the non-working habits of the Filipinos. There are plenty of the latter to furnish all the labor needed. The exclusion of foreign supplies from the market has forced the solution of the question of native labor, a solution not yet perfected, but withal becoming more and more satisfactory.

One of the most subtle problems which had to be faced in determining upon what basis Oriental immigration into the Philippines would be permitted lay in the effect which such immigration would ultimately have upon the working of the exclusion laws of the United States. Having assumed the government of the Philippines from altruistic and humanitarian motives, publicly proclaimed and many times reiterated, it would be difficult indeed for the United States to apply to the inhabitants of our far eastern dependencies the exclusion laws which applied to other Oriental peoples. An inhabitant of the Philippines, so long as the islands were under our control, could with ill grace be denied the privilege of access to our shores. Many of the Chinese and Japanese in the islands who would otherwise be excluded from the United States might thus secure admission, for Filipino citizenship would be beyond the reach of but few of them. They have often become Filipino citizens. What, then, was to prevent Filipino citizenship from becoming a mere wedge by which large numbers of persons who would otherwise be excluded could enter the United States. This was merely a possibility. The status of the Philippines in relation to the United States had not yet been determined. No one who knows the

lengths to which men have gone in their efforts to evade the present exclusion laws can doubt that the work of regulating immigration might have been greatly complicated through the medium of Filipino citizenship, had it been left accessible to all who desired it. This was a problem which was avoided by extending to the Philippines in September, 1899, the exclusion laws of the United States.

As in every instance where a policy of exclusion is adopted there have arisen in the Philippines serious problems involving the enforcement of the exclusion enactments. In the Philippines the question of enforcement reaches its most acute stage. Not only have the usual methods common to this country been adopted but in addition a system of registration has been superimposed. Every Chinese is required to register with the government, or become liable to deportation, even this has not checked immigration. Until 1907 a common method of evasion was by the bringing in of "minor children" by the registered Chinese of the islands. In that year more rigid interpretations of the statutes were authorized and this practice has been minimized, though not wholly stopped. One of its worst features is that many of those thus entered are sold into a servitude that is not unlike slavery.

Besides this more open defiance of the exclusion laws, there is admittedly considerable smuggling of Chinese into the islands. The exact extent of this practice cannot be determined but it has been important enough to call forth repeated and official recognition of its existence. The smuggling is systematized and until about two years ago the operations in China were carried on with little secrecy. The coast patrol in the Philippines can make such smuggling difficult, but no more. Besides it must be borne in mind that the crews of most of the vessels plying between China and the Philippines are composed of Chinese, at least in part, and that not only these seamen often attempt desertion in order to gain admittance, but they are only too willing to aid a fellow countryman in his efforts to evade the customs officers. For in the Philippines the administration of the exclusion laws is a part of the work of the Bureau of Customs.

Notwithstanding all these evasions of the law the exclusion policy of the United States may be fairly said to be accomplishing the three ends which justify its existence. There is no overwhelming of the Filipino race in its development. There is no diversion

of that development through the modifying influences of a process of amalgamation with other Oriental races, chiefly the Chinese. No new and unrelated element is added to the already heterogeneous Philippine population. At the same time the Filipino is slowly learning to develop the material resources of the land in which he dwells. The United States, in protecting itself against possible evasions of its own exclusion laws by making them applicable to every part of the territory under its control, has fortunately done only what would have been in any case politic and justifiable because of its recognition of Filipino sentiment. Only a policy of exploitation could absolutely disregard the racial instincts of a dependent people. If with all the advantages of western civilization at our command American standards of life are threatened by competition with the Oriental, how much more difficult it would be for the Filipino race, even under our tutelage, to attain to the same standards which we enjoy and to which they aspire, if we forced upon them the very competition which we fear and avoid! Unrestricted immigration into the Philippines might not prove to be an unmixed evil, given certain aims and conditions, but the present exclusion policy has amply justified its existence as an element in an altruistic administration for the benefit of the native population and it should be continued.

ORIENTAL LABOR IN SOUTH AFRICA

BY L. E. NEAME,

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No student of the Asiatic problem in America can afford to ignore the effects of imported colored labor in South Africa. South of the Zambesi an "experimental plot" has been conducted for many years, and from its records other lands can see what the competition of the races of the East really means, and what influence that competition is likely to have upon a white population. But in glancing at the dismal picture presented by South Africa to-day, it must be remembered that the Asiatic competition to which the people of European descent are subjected, is by no means the worst of its kind. The Indian immigrants in these colonies are usually drawn from the dregs of the millions of India. In energy, ability and the capacity for succeeding they are far behind the Chinese in the Straits Settlements, or the Japanese of British Columbia.

Although in South Africa the native black population now outnumbered the whites by six to one, this was not always the case. In the earliest days of European settlement in the Cape Colony, the newcomers found an almost empty land. The Kaffir invasion from the northeast had not reached within hundreds of miles of Table Bay. The only people found in the vicinity of the settlement were a few wretched tribesmen who wandered over a large area of country. If, soon after Van Riebeeck began his garden in 1652, a policy of introducing white labor had been adopted and systematically followed up, South Africa to-day would be a far different country. Only the system of relying upon colored labor has kept it back. The first slaves brought to the little settlement were shipped from Asia. Then the Dutch colonists sent to the West Coast of Africa for blacks, and several hundred had been introduced before the close of the seventeenth century. The system led with great rapidity to the springing up of a half-breed race, and Isbrand Gostic, who visited the Cape in 1671, considered the circumstances so scandalous and demoralizing to the whites that he attempted to legislate against them. In these early days, however, there was no likelihood of the

system being altered for sentimental reasons. It was too widely accepted as the most reasonable policy of development.

In 1716 the Council of Policy at Table Bay came to a decision which must always be regretted by the lover of South Africa. The directors of the Dutch East India Company in Holland submitted a number of important points to the Council at the Cape, and among them was the question whether it would not be more advantageous to employ European laborers than slaves. "It must ever be deplored," says Theal, the historian of the Cape, "that of the men who sat in the Council in February, 1717, there was but one who could look beyond the gains of the present hour." Only the commander of the garrison, Captain Dominique Pasques de Chavonnes, a brother of the governor, advocated the introduction of European workmen instead of slaves. But this view was voted down. The basis of South Africa was made colored labor, and it has been the basis of the country to this day, with the result that in this huge tract of land stretching from Table Bay to the Zambesi there are but a little over a million white people—the population, say, of Nebraska. Only one or two enlightened men saw the danger. One of them was the governor-general, Van Imhoff, who, in a memorandum he drew up in February, 1743, regretted that Europeans in large numbers were not sent out in the early days of the settlement. The introduction of slaves, he said, had caused every white man, no matter how humble his birth, to regard himself as a master, and unless paid at an extravagant rate he expected to be served instead of to serve others.

In South Africa the importation of Asiatic slaves went on until 1767. Then the government at the Cape became apprehensive of the too great preponderance of this class of the population—"for when excited they were prone to commit appalling crimes," and the Council of India were earnestly asked not to continue to export Asiatic slaves to South Africa.

In the next century came British dominance at the Cape, and the liberation of the slaves. But the habit of relying upon colored labor had become ingrained, and, as the natives of the country were unreliable workers, it was resolved to import Asiatics.

The beginning of the Oriental labor system in South Africa on any considerable scale dates back to 1859, when the land owners of Natal asked Sir George Grey to be allowed to import labor. The

Corporation of Durban supported the appeal in an address which included the following:

Independently of measures for developing the labor of our own natives, we believe your Excellency will find occasion to sanction the introduction of a *limited number of coolie or other laborers* from the East in aid of the new enterprises *on the coast lands*, to the success of which sufficient and reliable labor is absolutely essential; for the fact cannot be too strongly borne in mind that on the success or failure of these rising enterprises *depends the advancement of the colony or its certain and rapid decline*. Experimental cultivation has abundantly demonstrated that the issue depends solely on a constant supply of labor.

The manner in which this comparatively modest request has expanded in the course of half a century is a remarkable indication of the danger of admitting Asiatic labor. The "limited number of coolie or other laborers from the East" has swelled into an Indian population *greater than the entire white population of Natal*. The Asiatics called in to help industries on "the coast lands" have spread all over the uplands which ought to support a large white population. Instead of the tea and sugar planter alone demanding Asiatic labor, it is the farmers, the manufacturers, the wealthier residents of town and country alike. To-day the adult male Indians in Natal outnumber the adult male Europeans by ten thousand. Indian shops are found in the best streets of Durban, and in some of the small towns hardly a white man's store is left. The "limited number" of coolies now own thousands of acres of land. They are the fruit and vegetable growers of the colony. The Kaffir "truck" trade, which at one time supported many white families, has drifted almost entirely into their hands. A member of the Natal Legislature wrote some time ago:

Indians both rent land and hold it freehold, and their holdings of both classes are extending year by year. Large areas in the coast country of Victoria, north of Durban, have of late years been acquired by syndicates of Europeans and retailed acre by acre to these people, who are keen to buy, and are willing to pay prices which no European could afford for occupation and cultivation. As a matter of fact, in this Garden County of the Garden Colony, the European population cultivating or in intimate connection with the soil is probably smaller in number than it was thirty years ago, while the Indian is gradually taking up the land upon which was (*sic*) reared in those days families of Europeans—colonists of the best stamp. What will be the outcome is causing anxious thought to many in Natal, who look beyond the present day and its present profit.

In "The Asiatic Danger in the Colonies"¹ I gave some figures, taken from the Natal Census Report of 1904, showing the extent to which Oriental competition has gained a grip on the colony. As no later figures are available at present, I may be allowed to reprint two of the tables. The first deals with storekeeping:

	Europeans.	Asiatics.
Storekeepers (general)	658	1,260
Storekeepers' assistants	1,252	1,323
Bakers and confectioners	213	78
Butchers and assistants	306	42
Grocers and assistants	425	75
Restaurant keepers	64	26

The second table is a more general one:

	Europeans.	Asiatics.
Bricklayers and assistants	1,056	122
Blacksmiths and assistants	523	30
Barmen	251	37
Brick and tilemakers	98	23
Boot and shoemakers	108	66
Barbers and assistants	118	131
Brewers and assistants	68	27
Bookbinders and assistants	47	13
Billiard markers	33	11
Carpenters and assistants	2,328	196
Cooks	147	457
Coachmen and grooms	92	117
Cycle dealers and mechanics	37	12
Carriers and carters	137	262
Cigar and cigarette makers	11	104
Domestic servants	1,083	2,132
Engine drivers (locomotive and stationary) ..	516	57
Fishermen	100	108
Firemen and stokers	652	257
Hawkers	19	1,487
Jewelers and assistants	105	381
Laborers (general)	353	13,799
Laborers (railway)	164	610
Municipal employees	141	543
Messengers	3	99
Miners	208	185
Mineral water manufacturers and assistants ..	69	21

¹Published by Routledge & Sons in 1907.

	Europeans.	Asiatics.
Mine laborers .....	...	600
Painters	661	79
Printers and compositors	448	61
Plumbers and tinsmiths	356	81
Photographers and assistants	99	12
Porters (hotel and general)	96	133
Pumpmen (Natal railways)	1	32
Pointsmen (Natal railways) .....	...	138
Quarrymen	16	56
Tailors and assistants	266	126
Tobacconists and assistants	47	22
Waiters	100	658

One more example of the effect of Asiatic competition may be quoted, because it shows how, even in times of great depression, the Oriental can thrive while the white man goes under. The Cape Colony, like the rest of South Africa, has in recent years gone through extremely bad times. White storekeepers went under in large numbers. But the Orientals held their ground. For instance, in the five largest towns in the Cape Colony—Capetown, East London, King William's Town, Kimberley, and Port Elizabeth—the number of general dealers' licenses issued to Europeans in 1905 was 5,222. But on May 1, 1906, only 3,920 Europeans had taken out licenses. That is to say, 1,302 Europeans had been forced out of business. Now in 1905 there were 1,012 general dealers' licenses issued to non-Europeans. But on May 6, 1906, there had been no decrease. On the contrary, the licenses numbered 1,059. In these five towns, therefore, in one year the increased competition had had the following effect:

1. Licenses to Europeans *decreased* 1,302.
2. Licenses to non-Europeans *increased* 44.

In the face of these statistics, all taken from official publications, it is hardly necessary to dwell further upon the effect of an infiltration of Asiatics into a land in which there is already a large white population. The figures tell their own tale.

The condition of South Africa—especially of Natal—is a warning to other lands to bar Asiatic immigrants. I have no prejudice against the Eastern races. During several years' residence in India I had many opportunities of seeing the excellent qualities of an Asiatic people—personally I prefer India to any country I have

seen. But I cannot shut my eyes to the disastrous effects of allowing any considerable Asiatic population to settle in a land in which there is already a large white population. The Asiatics will never be absorbed. Always they will live apart, a source of weakness to the community. America has absorbed hundreds of thousands of foreigners from Europe. They have intermarried with the older population. Hardly a trace of them will remain in a few generations. But a hundred thousand Asiatics in Natal have not been absorbed and never will be absorbed; and in America the same isolation would be found for generation after generation.

Both economically and socially the presence of a large Oriental population is bad. The Asiatics either force out the white workers, or compel the latter to live down to the Asiatic level. There must be a marked deterioration amongst the white working classes, which renders useless a great deal of the effort made in educational work. The white population is educated and trained according to the best ideas of the highest form of Western civilization—and has to compete for a livelihood against Asiatics. In South Africa this competition is driving out the white working class, because the average European cannot live down to the Asiatic level—and if it is essential that the European must do so, then for the sake of his own happiness do not educate him up to better things. If cheapness is the only consideration, if low wages are to come before everything else, then it is not only waste of money, but absolute cruelty, to inspire in the white working classes tastes and aspirations which it is impossible for them to realize. To meet Asiatic competition squarely it would be necessary to train the white children to be Asiatics. Even the pro-Orientals would hardly advocate this.

Further, Asiatic labor in South Africa is now seen to be a weakness to the state. It drives out white people in a land in which white men are needed for the safety of the community against the Kaffir hordes. It increases the problems of the country by establishing a large colored population which is not native and resents being brought under laws for natives, and yet cannot be placed on an equality with the white population. Besides, the Asiatic is worth less to the country than the white man he displaces. It is estimated in Natal that the Oriental only contributes £1 6 4½ a year to the public revenue, whereas the white resident returns £30 11 4. The Oriental buys as little as possible and sends all he

can to his relatives in Asia. If he marries and settles down, his children only increase the difficulty of the color problem.

The experience of South Africa is that when once Asiatic labor is admitted, the tendency is for it to grow. One manufacturer secures it and is able to cut prices to such an extent that the other manufacturers are forced either to employ Asiatics also or to reduce white wages to the Asiatic level. Oriental labor is something which does not stand still. The taste for it grows. A party springs up financially interested in increasing it. In Natal to-day the suggestion that Indian labor should no longer be imported is met by an outcry from the planters, the farmers and landowners, and a certain number of manufacturers, that industries and agriculture will be ruined. So the coolie ships continue to arrive at Durban, and Natal becomes more and more a land of black and brown people and less a land of white people. Instead of becoming a Canada or New Zealand, it is becoming a Trinidad or Cuba. Instead of white settlers there are brown settlers. The landowner does not mind, because as Mr. Clayton, an ex-cabinet minister in Natal, said a few years ago, he was pretty confident that his children, rather than have to work any land he might be able to leave them, would prefer to let it to Indians at reasonable rents. The planters and the manufacturers do not mind, because the more Asiatic labor they can get the smaller will be their wages bills and the larger their profits. But the working class white population has to go, as it is going in Natal. The country becomes a country of white landlords and supervisors controlling a horde of Asiatics. It does not produce a nation or a free people. It becomes what in the old days of English colonization was called a "plantation."

The objection to Oriental labor in a white community is not based upon color prejudice. It is an instinct—the instinct of self-preservation. Instinctively the white community realize that with Asiatic immigration their highest ideals cannot survive. The late Sir Henry Parkes put the case eloquently in Australia years ago, when the white man's country ideal was fought for and won there. "It is our duty," he said, "to preserve the type of the British nation, and we ought not for any consideration whatever to admit any element that would detract from, or in any appreciable degree lower, that admirable type of nationality. We should not encourage or admit amongst us any class of persons whatever whom we are not prepared

to advance to all our franchises, to all our privileges as citizens, and all our social rights, including the right of marriage. I maintain that no class of persons should be admitted here, so far as we can reasonably exclude them, who cannot come amongst us, take up all our rights, perform on a ground of equality all our duties, and share in our august and lofty work of founding a free nation."

South Africa sees now that this policy cannot be carried out if Asiatic immigration is allowed. The colonies here are on the point of forming the Union of South Africa under a strong central government. I have no hesitation in predicting that one of the first steps the Union Parliament will take will be to stop the importation of Oriental labor into Natal—even though that labor is from another part of the British Empire. The white people of South Africa will demand this measure. And they will do so because they realize now that the influx of an Oriental people into a white community inevitably results in the ruin of a large number of white families, and in the springing up of difficulties which it were wiser to avoid.

JAPANESE IMMIGRATION INTO KOREA

BY THOMAS F. MILLARD,

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In modern times immigration may be divided roughly into two classes: persons who come to a country with purpose to establish a permanent residence, acquire citizenship, and adapt themselves to its institutions; and persons who, because of their own disinclination, or from being prevented by laws of the nation, do not become subjects or citizens of the state where they reside, occupying the situation of foreign residents.

Japanese immigrants into Korea do not fall exactly within either of these classes. Indeed, they hardly can be termed immigrants in a political sense, since by moving from Japan into Korea their general political status undergoes no material alteration. They still are Japanese subjects living in a country governed by Japan; and it is improbable that this condition will ever be modified. To-day Japan is absolute sovereign in Korea, and exercises unrestrained all functions of government, although a Korean emperor is presumed to reign and a Korean ministry nominally exercises some administrative authority.

Japanese immigration into Korea, therefore, does not present a political problem in an international sense; and consequently is interesting rather in its economic and sociological phases, from which some conclusions may perhaps be deduced that will bear upon the question of Asiatic immigration into the United States. In this connection, the thesis of Japan's administration in Korea should be considered, for it affords a basis for estimating certain effects of her policy. Obviously, the policy is paternal in conception and operation, in the sense that it assumes that Koreans are incompetent to govern themselves. This is the theory of many similar policies, of which British administration in Egypt and India, Dutch rule in the East Indies, and American government of the Philippines are prominent instances. Of these examples, Japan's rule in Korea is more like Dutch colonial administration; but it differs, in the matter of

immigration, from all of them. In the case of Great Britain, Holland and the United States, the paternal relation is exercised by a race not adaptable, in large numbers, to life in the regions thus brought under their authority; and so the immigration of English into India, Dutch into the East Indies and Americans into the Philippines in no way threatens to disturb economic and sociological conditions, nor to seriously affect, except by influence of association and example, the native inhabitants. In respect to their Oriental dependencies, the western nations mentioned have never attempted to colonize them with British, Dutch or American immigrants who would or could directly compete with the natives in their accustomed vocations; and in the Philippines the United States protects the natives against Chinese immigration.

Conditions in Korea are different. The country is very like Japan in soil, climate and natural resources. While various divisions of Oriental races present external differences, and to close observation display some diverse traits, they really involve no greater divergences than do the Caucasian nations of Europe, or inhabitants of different parts of the United States. There is little difference between Chinese, Japanese and Koreans as to general characteristics. Owing to peculiar conditions which obtained for so long, Koreans are somewhat less sophisticated than Chinese and Japanese; and from having lived for centuries in a land of comparative plenty, they have not the industrial capability and commercial acumen which a harder struggle for existence has instilled into their neighbors. Until the empire was opened to foreign trade want was comparatively unknown, and the country produced more than enough to supply the needs of the population. With an area less than that of Kansas, Korea has a population approximately of 10,000,000.

While Korea is well populated, there always was land to spare until within the last few years. Growth of foreign trade, and the consequent exportation of foodstuffs, brought the Korean peasant into competition with his Oriental neighbors, and soon caused his situation to be modified by submitting him to a new economic pressure. He now had to labor not only to meet his own simple requirements, but was for the first time forced to sell his products in a general market. Unused land began to have value, and as the cost of living appreciated, the condition of the peasants, who never had been compelled to practice thrift, relatively deteriorated.

This was the situation when the sovereignty of Japan was established by seizure of Korea, in 1904, and when the tide of Japanese immigration into the country began to swell. There were some Japanese in Korea before the Russo-Japanese War, and they were accorded the same privileges and rights there as other foreigners; yet there never was any great influx. Natural conditions in no way have been changed by the establishment of Japanese rule there. Korea is no nearer to Japan than before. It is somewhat more accessible, in a modern sense, owing to railway communications and better shipping facilities; but for hundreds of years Japanese fishermen have plied Korean waters in their boats, and had conditions tempted them there was no serious obstacle to prevent them from immigrating in large numbers. The reason they did not do so seems to be because Korea offered no especial inducement to Japanese immigrants. A Japanese trader or peasant formerly had no greater opportunities in Korea than in Japan, and so, except some adventurous persons, they remained at home.

An explanation for the Japanese immigration into Korea since 1904 must, therefore, be sought apart from natural conditions; and investigation of the factors involved indicate that politics rather than economics provided the incentive for it. It is a result of a deliberate colonization policy of the Japanese government. The broader purposes of Japan in wishing to colonize Korea with Japanese are almost self-evident, and perhaps are well enough understood to not require elucidation in this connection. Assuming that the Japanese government desires to induce 5,000,000 Japanese to settle in Korea (which is a number mentioned in discussion in the Diet), it must excite among them a desire to go to Korea, and secure contentment for them when they go. In time the success of the plan will depend upon the latter contingent, for unless Japanese immigrants in Korea are satisfied they will not remain, and the project to Jap-ize the country will fail.

In creating among Japanese a desire to go to Korea the government employed all of several means which it controls: publicity, the shipping lines and the emigration companies being the more important. The affiliation of emigration companies in Japan with the government, through the subsidized shipping companies, is very close; and when backed by the government, with the advantage of special transportation rates, it was not difficult for them to induce

many Japanese to take a chance in the new country. I have no authentic figures showing the extent of Japanese immigration into Korea during the last five years; but unofficial statistics fix it at 85,000 in 1904, 115,000 in 1905, 120,000 in 1906, and 60,000 in 1907. When I was last in Korea, in 1908, the number of Japanese in the country was estimated at less than 500,000. The high-water mark of this immigration was reached in 1906.

The turn of the tide, notwithstanding extraordinary inducements afforded by preferential treatment both in getting to Korea and establishing settlers there, probably caused the Diet to grant a charter to the Oriental Colonization Company, which was organized in 1908 with a capital of 10,000,000.00 yen, and which receives an annual subsidy of 300,000.00 yen from the government in the form of guarantee of interest on debentures. This company has a one hundred year franchise, and is equipped with a blanket charter. The Diet has authorized it to issue debentures for 20,000,000.00 yen, and two members of the ministry were in the company's first directorate.

The charter thus enumerates the enterprises in which the Oriental Colonization Company may engage:

1. Agriculture.
2. Sale, purchase, leasing and hiring of lands necessary for colonization purposes.
3. Undertakings connected with land and its control.
4. Construction, sale, purchase and renting of necessary buildings.
5. Collection and distribution of Japanese and Korean colonists.
6. Supply of seeds, seedlings, fertilizers and other materials for industries to Japanese and Korean farmers.
7. Supply to Japanese immigrants and Korean farmers of building materials, utensils and machinery for industrial purposes; ships, wagons and domestic cattle.
8. Selling, buying, transportation and storing of all things produced by Japanese immigrants and Korean farmers as well as of the necessities of life for them.
9. Supply of funds necessary for colonization purposes.

Supplementary Enterprises

- (a) Marine industries.
- (b) Mining.
- (c) Manufacturing industries that derive their materials from agricultural and marine products.
- (d) Other undertakings deemed necessary for colonization.

In the Diet, government deputies stated that the fundamental object of the Oriental Colonization Company is to send skilled Japanese farmers to Korea to reclaim the considerable extent of arable lands now lying in waste there. The charter confines the enterprise exclusively to Japanese and Koreans, and a majority of officers and employees *must* be Japanese. Here is a revival of the old East India Company, with the additional power to colonize on a great scale. While, when interrogated in the Diet, government deputies denied that the charter of the company constitutes a monopoly of any kind of business in Korea, it easily may do so when one considers its relation to the Japanese government and the whole policy of the latter in Korea. It may be said that Korean participation in the Oriental Colonization Company is merely a fiction, and similar to the part played by the emperor and the so-called Korean ministry in administrative affairs.

An idea of the effect of injection into Korea of several millions of Japanese, if the scheme of the Oriental Colonization Company proves successful, may perhaps be gleaned from certain results of the presence of those already domiciled there. That most Japanese immigrants would be inferior to the social average in Japan might be expected, for the better classes of Japanese are not disposed to such doubtful adventure. Japanese in Korea are of all classes, from officials of the superior type to coolies. An argument is advanced that the settling of Japanese farmers upon land that is now unproductive will develop the country. So it might; but it appears that of the half a million Japanese who have come to Korea since Japan took the country less than three thousand are engaged in agricultural pursuits. When last in Seoul I made inquiry about this matter, and obtained from as reliable and unprejudiced a source (not Japanese) as I could find the following estimate of occupations of Japanese immigrants:

1. Officials	5,000
2. Traders (including peddlers, merchants, etc., with their families) ..	100,000
3. Artisans (including their families)	50,000
4. Coolies	100,000
5. Prostitutes	10,000
6. Miscellaneous	50,000
7. Subordinate government employees, police, etc.	10,000
8. Agriculturists	2,500

Within the last two years a large number of Japanese have returned to Japan, which probably accounts for the discrepancy between the total of this estimate and the total immigration since 1904. This estimate does not include the Japanese military. A striking result of Japanese administration is that the number of Japanese officials and employees in the Korean government now exceeds the Koreans, who are being removed from even the meanest occupations to make way for Japanese. What probably will impress the sociological student in this estimate is that the Japanese immigration is of a character directly to compete with the native population. Instead of opening new avenues of production, this immigration so far merely has brought an additional population to live upon the present resources of the country, which means that it has had the immediate effect of accentuating the struggle for existence, and has subjected Koreans to a severe and unfamiliar competition.

The character of this competition can only be appreciated when political conditions in Korea under Japan's rule, and its application to the situation of the natives, are understood; and as I lack space in this paper to give details illustrating this phase of the matter, I will repeat a summary which is included in my recent work "America and the Far Eastern Question:"

"The scope of this work will not permit relation in detail of detriments which Koreans of all classes suffer under the Japanese regime. Bare mention of specific instances which, supported by reliable testimony, were called to my attention during my last visit would fill pages. These detriments may be summarized as follows: Seizure of land and other property of Koreans by Japanese without proper compensation or legal warrant; exclusion of Koreans from participation in commercial and industrial development of the country; subjection of Koreans to abuse and indignities at the hands of Japanese immigrants, military and civil officials; the practical impossibility for Koreans, except in flagrant cases, to obtain justice in issues against Japanese; superior advantages of Japanese over Korean tradesmen and merchants, through preferential treatment accorded by the Japanese administration; debauching of Korean morals by Japanese immigrants, by the introduction of thousands of Japanese prostitutes and by the introduction of pernicious vices, such as opium and lotteries. The detriments thus summarized are not based upon scarce or isolated cases, but are so numerous and

widespread as unmistakably to indicate that they are the result partly of premeditated general policy, and partly due to laxity and indifference of Japanese administrators."

The truth is that Japanese in Korea demean themselves not as ordinary immigrants, but as overlords; and this is as true of the Japanese coolie, in his sphere, as it is of the highest official. The average Japanese in Korea assumes the attitude of conqueror, and seems to regard Koreans as an inferior and subject race. Moreover, they are supported in this attitude by the policy of the Japanese government, and by actions of Japanese officials in Korea. Indeed, the plight of a Korean in his own country is now a sorry one; yet, curiously enough, he may not himself emigrate without permission of the Japanese authorities. Recently, acting upon representations of Japanese emigration companies and their affiliated interests, the Residency [Japanese administration in Korea] made new regulations affecting Korean emigration. This regulation is ostensibly designed to "protect" Koreans who emigrate to foreign countries. In recent years there has been little Korean emigration except to Hawaii and Mexico, where it competes with Japanese immigrants in the labor field. The new regulations make it practically impossible for Koreans to emigrate except under conditions which discourage such disposition. To believe that any solicitude for Koreans animates the Japanese government in this matter taxes the credulity of anyone who is familiar with conditions in Korea.

It is probable that this brief criticism of some effects of Japanese immigration into Korea will interest Americans chiefly by whatever light it throws upon its predominating characteristics. Japanese immigrants into Korea are not responsible for the Korean policy of Japan, but their demeanor under the circumstances is interesting and perhaps illuminating. That Japanese of all classes in Korea are, in their attitude toward the natives and institutions of the country, contemptuous, truculent and overreaching is my firm conviction; and as their political and social situation there is favorable, compared to that of Japanese immigrants to western countries, their conduct may afford an insight into what they might do elsewhere should circumstances permit.

THE EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA

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In the history of the Australian colonies, now forming the Australian Commonwealth, the frequent recurrence of legislation directed against Asiatic immigrants is impressive. To quote one example, no sooner did the colony of Victoria obtain responsible government in 1855 than a restriction act was passed, imposing duties on the masters of vessels bringing Chinese to Victorian ports. This is typical of the attitude of all six colonies on the subject. Intermittently restrictive legislation continued till 1890, when public opinion seems to have subsided, to awaken again, with renewed apprehension, in the twentieth century—chiefly owing, be it said, to Japan's prominence in the East, dating from her entry into the family of nations in 1899. It is by no means difficult to realize the causes of this uneasiness.

Within a few days' steam of the northern shores lie the densely populated eastern countries, which demand expansion as a result of economic and other social forces. There are three whose inhabitants are represented in our alien population (which does not, however, exceed 5 per cent of the total). These are India, China and Japan, which together have a population of 715,000,000 people.

The following table is eloquent in its possibilities:¹

Country.	Population to square mile.	Total population (approximate).	Area (square miles).
China	101.36	433,553,030	4,277,170
India (Brit.)	213.27	231,855,533	1,087,124
Japan	266.84	50,841,562	190,534
Australia	1.46 { in 1901 now about	4,347,037 5,000,000 }	2,974,581

It is only of recent years that the true position of affairs has been apprehended by the mass of the people; this tardy recognition being mainly due to the isolation of Australia from world politics.

¹Official Year Book Commonwealth, No. 2.

But even from the first, hidden under economic and other reasons, there has been an instinctive idea that to allow Asiatics to obtain a footing on the continent would be fatal. Twelve thousand miles from the parent and, at present, protecting state, the full recognition of the problem or rather the crisis has been seen in late years in the feverish desire for the desirable immigrant,—the white who is quickly naturalized under laws suitable to the situation in which we find ourselves.

State Legislation

State legislation is interesting from an historical point of view, and as illustrating the general trend of public opinion, but it should be remembered that state legislation has been practically superseded by the commonwealth acts to be discussed later. This is true, however, only so far as the state legislation conflicts impliedly or expressly with federal legislation. The power which the Parliament possesses of making laws with respect to immigration and emigration is not an exclusive power.²

The first act we notice is the Victorian restriction law of 1855, imposing a fine of £10 on the masters of ships bringing Chinese passengers to Victoria, for every Chinese landed. These provisions were afterwards adopted by South Australia in 1857, and by New South Wales in 1861, to be soon afterwards repealed owing to pressure by the British colonial office. In 1877 Queensland adopted practically the same act, with the further imposition of a poll tax, in 1884, of £50 to be paid by each Chinaman. Meanwhile the other five states had passed exclusion laws limiting the number of Chinese allowed to land from a vessel to the proportion of one to every hundred tons burden. These provisions were generally disregarded till 1888, when a sudden influx of Chinese took place, and popular apprehension grew. Several boat loads of Chinese immigrants were prevented by force from effecting a landing at Sydney and Melbourne. An intercolonial conference was held the same year and affirmed the general principle of the exclusion of Chinese and the desirability of uniform legislation on the subject. Exclusion bills were rushed through the various colonial parliaments. To take the New South Wales act as typical, the following provisions are prominent:

²Constitution Act, sec. 51, ss. XXVII.

1. The poll tax was raised to £100.
2. No ship to carry Chinese passengers in the proportion of more than one to every 300 tons burden.
3. The penalty on shipmasters for a breach of this law was £500.

This marks the end of anti-Chinese legislation, chiefly because the end of the acts had been attained; the inflow of Chinese had practically ceased in 1901. In the census of 1891 their numbers had been estimated at 38,000. In 1901 32,000 were the official figures of the number of Chinese in Australia.

Still in the six years preceding 1901 the arrival of colored aliens had exceeded the departures by 5,500. Japanese, Afghans and coolies from British India began to stray through the colonies. At an intercolonial conference, 1895, the desirability of extending the anti-Chinese laws to all colored aliens was affirmed. Attempts were made to do this at the same time in all the colonies (1896), but the British colonial office refused to confirm these acts, despite the important privy council decision in *Chung Teong Toy v. Musgrove* (1891), that a colonial government had the unrestricted right to shut out aliens. The acts were modified and finally passed, the main provision of each being the exclusion of any person who failed to write in some European language an application for admission to the colony. The inadequateness of this test is apparent. An application learned parrot-fashion would not be difficult for an intelligent Asiatic to master. This requirement was not completely amended till later federal legislation in 1901. The penalty for evasion was fines and imprisonment for the prohibited immigrant, followed by expulsion, and heavy fines directed against shipmasters and owners. Two principles seem to have been reached as the result of all these laws, and both have been embodied in the Commonwealth Alien Immigration Restriction Act, 1901. These are:

(1) That the better method of excluding undesirable immigrants is not a poll-tax, but a test of character and education. In other words, complete exclusion has taken the place of restriction.

(2) If the responsibility for undesirable immigrants is made to rest upon the shipmaster or shipowner exclusion legislation will be more efficacious.

This brings the history of anti-Asiatic legislation down to 1901. Its importance has always been recognized in colonial politics. In

fact, the necessity for uniform exclusion laws was one of the main factors in determining the six Australian colonies to federate in 1901,³ and in the first year of its existence the new-born commonwealth embodied previous state laws into one sweeping statute.

Commonwealth Legislation

Under the authority conferred by the constitution to make laws with respect to immigration,⁴ the parliament of the commonwealth passed the immigration restriction act, 1901, and the immigration restriction amendment act, 1905. Immigration into the commonwealth of persons comprised in the following classes is prohibited (sec. 3):

- (a) Any person unable to write out at dictation by an officer a passage of fifty words in length in any prescribed language.
- (b) Any person likely to become a charge upon the public.
- (c) Any idiot or insane person.
- (d) Any person suffering from an infectious or contagious disease.
- (e) Any person who has within three years been convicted of a non-political offence, or has been sentenced to imprisonment for one year or more or has not served sentence or received a pardon (sec. 3).
- (f) Any prostitute or person living on prostitution of others (sec. 3).

Exceptions.—To these restrictions there are exceptions:

- (a) Any person holding a certificate of exemption.
- (b) Members of King's regular forces.
- (c) Master and crew of any public vessel, of any government.
- (d) Master and crew of any other vessel during its stay in port, provided that if it be found before the vessel leaves the port that a member of the crew who in the opinion of the officer administering the act would have been a prohibited immigrant but for provisions of this section, is not on board, shall be deemed to have entered the commonwealth as a prohibited immigrant, until the contrary be proved.
- (e) Any person duly accredited to the commonwealth by any other government.

Certificates of Exemption

Certificates of exemption from provisions of the acts are to be expressed as in force for a specified period only and may at any time be cancelled by the minister for external affairs. Upon ex-

³See Report of Intercolonial Convention, 1897.

⁴Constitutional Act, sec. 51, ss. XXVII.

piration or cancellation of such certificate the person named therein if found within commonwealth shall be treated as a prohibited immigrant and deported (sec. 4); an exemption from dictation test is given to persons five years resident in the commonwealth (sec. 4a).

Liability of Masters and Owners of Vessels

Masters, owners and charterers of any vessel from which a prohibited immigrant enters the commonwealth shall be jointly and severally liable to penalty of £100 for each such immigrant (sec. 9). The minister for external affairs may authorize the detention for safe custody of a vessel from which a prohibited immigrant has entered the commonwealth; the vessel may be held for security, but may be released on security being given for payment of penalties which may be inflicted; in default of payment the vessel may be sold (sec. 10). Masters of a ship in which a prohibited immigrant comes to the commonwealth shall provide a return passage to such (sec. 13a).

Evasion of Act by Immigrants and Others

Any immigrant who evades an officer, or enters the commonwealth at a place where no officer is stationed if thereafter found in the commonwealth may be required to pass the dictation test, and failing, be deemed a prohibited immigrant (sec. 5). Any person may within one year of entering the commonwealth be required to pass the dictation test. Presumption of proof is against such person. Every prohibited immigrant entering or found within the commonwealth in evasion of act shall be guilty of an offence and upon conviction shall be liable to imprisonment for six months, and to be deported from the commonwealth, though imprisonment may cease for purpose of deportation, or if offender finds two sureties of £50 for leaving the commonwealth within one month (sec. 7). Any person wilfully assisting another to contravene a provision of this act is guilty of an offence (sec. 12).

General Provisions

An immigrant unable to pass the dictation test may be allowed to enter the commonwealth on the following conditions:

- (a) Depositing £100 with officer.

(b) Receiving within thirty days of deposit a certificate of exemption.

Failing to receive certificate he must depart from the commonwealth when deposit shall be returned, otherwise deposit may be forfeited and he be treated as a prohibited immigrant (sec. 6). Any person other than a British subject convicted of violence against the person shall be liable at the expiration of imprisonment to be required to pass the dictation test, and failing shall be deported from the commonwealth as a prohibited immigrant (sec. 8). Any member of the police force or any customs officer may take necessary legal proceedings for enforcement of the act. Police may arrest without warrant a suspected prohibited immigrant (sec. 14). Where no higher penalty is imposed for an offence by this act, the penalty is to be £50 fine or six months imprisonment (sec. 18). The governor-general may make regulations empowering officers to determine whether any person is a prohibited immigrant (sec. 16).

The validity of the above acts as a whole was upheld in the case of *Robtelms v. Brennan*,⁵ where the high court of Australia laid down that every state can decide what aliens shall become members of the community. This case further decided that every state had an unqualified right to expel or deport (see sec. 7 of act) as well as to prevent entering. The right can be exercised in whatever manner and to whatever place necessary for effective deportation.

A survey of the text of the acts as above would seem to show that the commonwealth parliament had only provided against the influx of uneducated or criminal persons, but a glance at one section of the act of 1901 and at its general administration will show that it is particularly directed against Asiatic immigration.

Thus the act of 1901 laid down a dictation test in any prescribed *European* language. So all Asiatics, save those acquainted with the European language were excluded. In point of fact only thirty-two Asiatics passed the test in the years 1902, 1903, 1904. In the act of 1905 the test was altered to be "in *any* prescribed language." The alteration was undoubtedly made with a view to remove a direct expression of offence against Asiatic peoples. This was the more necessary as British policy in the far East was and

⁵⁴ C. L. R. 395.

is centered round a treaty of alliance with Japan. But the exclusion of Asiatics has since the 1905 act really been more rigid than under that of 1901. Only one native of Asia passed the dictation test in 1905 and none have passed it since. The explanation lies in the fact that no regulations have been made, as provided for under sec. 16, for the guidance of officers in deciding who are to be deemed prohibited immigrants. The officers administering the act have authority from the case of *Chia Gee v. Martin*.⁶ There the high court of Australia laid down the important principle that it is for the officer and not the immigrant to select the European language for the dictation test; and although as noted above the act of 1905 alters the words "any European language" to "any language" it would seem that the decision would still hold good with respect to the choice of language resting with the officer. Thus at discretion he can exclude any immigrant whatever, even European—and of Asiatics educated as well as uneducated. At the present moment it is a matter of deepest offence to eastern races that no distinction is made in favor of those who represent their highest civilization.

As further illustrating the large amount of discretion allowed officers in the administration of the acts is the case of *Preston v. Donohue*.⁷ In this case it was held that an officer having applied himself to the relevant question as to whether a member of a ship's crew found absent before the vessel clears the port is a prohibited immigrant, his opinion could not be questioned in a prosecution founded on that opinion.

As a principle of policy this discretion allowed to officers has always been exercised for the stringent exclusion of Asiatics. In this connection the case of *Ah Yin v. Christie*⁸ is worthy of note. This decided that an infant born out of Australia, and who has never been here and is the son of a person domiciled in Australia, is irrelevant to the question whether that infant on coming here is a prohibited immigrant within the meaning of the acts.

The final proof that it is the policy of Australia to exclude Asiatics is afforded by the provisions of the naturalisation act of 1903. By this act an applicant for a certificate of naturalisation in the commonwealth must adduce evidence to show that he is not an

⁶3 C. H. R. 649.

⁷3 C. L. R. 1089.

⁸4 C. L. R. 1428.

aboriginal native of Asia (sec. 5), provided that he has not already been naturalized in the United Kingdom, and even in this case the governor-general of the commonwealth may withhold such certificate on the grounds of public good (sec. 7). Since this act came into force, January 1, 1904, not one native of Asia has been naturalized in Australia. The legislation of the Australian parliament on the question of Asiatic immigration has therefore gone farther than that of the colonies which now form the commonwealth.

Questions of external affairs generally and that of immigration particularly present two aspects to Australian statesmen. There is the imperial aspect; the empire extends over diverse nationalities, including Asiatics, for example, natives of India; her foreign policy necessitates friendship with Asiatic races, for example, the treaty with Japan 1906. On the other hand, there is the local aspect; Australia is in proximity to the nations of the far East with their teeming populations, while her own scanty population is almost exclusively of European origin. That local needs have been provided for, even at some expense to those of an imperial nature, is immediately due to the added prestige which attaches to the commonwealth, as contrasted with disunited Australian colonies. At the bottom it is due to the greater freedom which is gradually being allowed by Great Britain to those of her dependencies which have been endowed with a large measure of responsible government.

Reasons for Legislation

The reasons for such drastic legislation fall naturally into three groups. (1) Physiological, (2) Economic, (3) Political, chiefly from the aspect of defence.

1. *Physiological.* With the examples of the two Americas before our eyes no other object lesson is needed to impress the Australian mind with the undesirable result of a land inhabited by people of two different colors. The mixture of one European nation with another may have a tendency for good, the faults of one species may be corrected by the infusion of foreign blood, and the result of such alliances may be virile and progressive. But in every case the outcome of the union between European and Asiatic or European and African has been a generation with the faults of both and the virtues of neither. If ever a great body of aliens

become domiciled in Australia, either to the north or south, two conceivable results might happen. The two elements might coalesce, as in the case of the hybrid communities in South America with fatal results to the individuality and energy which is the birth-right of the pure white race. Or they would not coalesce as in the case of the negro and white population of the United States of America. In this case the problem of reconciling two antagonistic races to live in peace and fellowship is one which strains the best statesmanship. Even under the best rule occasional outbreaks would and do occur. Neither of these alternatives commends itself to a community whose alien population does not exceed at present 5 per cent of the total. Hence it is that every effort is made backed up by public opinion to administer the restriction acts as strictly as possible.

In all great cities the miserable mongrel springing from white and yellow is seen, and even now in the slums of Sydney, Melbourne and Brisbane he can be found, though but one in fifty of the small Asiatic population has a white mate. It is in the south, however, that there is cause for alarm. The north of Queensland, and the whole of the northern territory of South Australia have but a very sparse population of whites, a vast and for the most part fertile territory, and a dangerous proximity to Asiatic neighbors. There the physiological problem has manifested itself. There also to some extent the aboriginal native of Australia enters as a factor. Elsewhere, however, he may be ignored as an element in the nation's problems owing to his fast diminishing numbers. Every healthy community has the power of absorbing a certain number of these undesirable crosses, and apparently that is what is happening to the few half-breed children in the segregated aboriginal camps.

But the beginning of a hybrid race with all the vices and physical infirmities of the eastern coolie race is visible in the far northern corner of the continent, having its origin in the time before the immigration restriction acts. The Malay, Filipino and Japanese have crossed with Australian aboriginals. White half-castes have bred with Chinese, Malays and Manilamen, until the low type of humanity which results is dignified by the name of mongrel. But all these considerations have been rather instinctive and innate, than explicit in prompting anti-Asiatic legislation. Those most

emphasized have been reasons of economic and of political expediency.

2. *Economic.* This phase of the question of Asiatic immigration is viewed with peculiar interest by Australian statesmen. Their fear of the lowering of the standard of living is perhaps more acute than that of the statesmen of other countries by reason of peculiar natural circumstances.

In the first place with an area of 2,975,000 square miles the density of Australian population is only 1.46 persons per square mile, in comparison with Japan with a density of population of 266.84, British India with a density of 213.27 and China with a density of 101.36.⁹ Such figures show that an unrestricted inflow of Asiatic labor would be fatal to Australian industrial interests. Secondly, not only the rate of remuneration of labor in Australia is high—as it should be in any new country, but the prosperity of the wage-earners has been increased by legislative experiments of a socialistic tendency in some of the states at least. Under systems of compulsory arbitration in industrial disputes, and of wages boards where employers and employees confer together under impartial presidents to regulate powers and conditions of work, strikes of any length or importance have almost ceased, and the interests of the wage-earning class are being carefully safeguarded.

Thus an inflow of cheap labor must be most carefully guarded against. A good deal has been said, however, in favor of colored labor being utilized in the tropical parts of Australia, which include more than two-fifths of the continent. But it is particularly for the cane-growing districts of Queensland and the northern territory of South Australia that colored labor has been advocated. It would seem, however, that labor of this description is not indispensable. By the Pacific Islanders laborers' act, 1901, the gradual deportation of Polynesians was ordered. At the same time a bonus was paid on white-grown sugar. As a result the production of sugar in the commonwealth has grown¹⁰ and white labor is replacing the colored with no disastrous effect to the farmer.

It would seem that in tropical Australia there is no absolute need of colored labor—save in the pearl fisheries on the northern coasts, which only produce about £300,000 worth of shell annually.

⁹Including dependencies, Official Year Book of Australia, 1901-08.

¹⁰Official Year Book of Commonwealth, 1901-08.

Thus the general policy of the commonwealth seems justified. The careful regard paid to the retention of a high standard of living is seen in the contract immigrants act, 1905, which applies even to white labor. This act, in substance, provides that where immigrants enter Australia under contract, this contract must be in writing, and its terms approved by the minister for external affairs. The contract must not be made with intention to affect any industrial dispute; and remuneration of the contract immigrant is to be as high as the current wage. The penalty for abrogation of provisions of the act is £5 to the contract immigrant and £20 for the employer.

When such care is taken of the interest of Australian wage-earners as against the white immigrant desirable in every way but that he is under a contract to perform labor, the exclusion of colored aliens on economic grounds is at least part of a consistent policy. When the low standard at which Asiatics can live is borne in mind the policy seems justified.

3. *Defence.* This aspect of the question is a vital one. The need of an adequate system of defence was a principal factor in the movements which led to the foundation of the commonwealth. Australia, by reason of her geographical position, has in the past been outside the center of world politics. But there is every reason to believe that in the future the Pacific Ocean will be an important sphere of international activity and rivalry. America has recognized this; Japan has become a first-class power; China is awakening from the sloth of centuries, and Australia, with vast undeveloped territory, with a coast line of 11,310 miles, lies close to the rising nations of the East. Up to the present she has relied for immunity from attack upon Great Britain, at least as to naval defence. The question of establishing a navy is now prominent in the minds of our statesmen, a question the importance of which can be gauged by consideration of the present naval position of Great Britain in Europe. In fact the first steps have already been taken. If not at this moment, yet in a short time Great Britain will no longer possess the naval pre-eminence hitherto possessed over European powers. This will mean that the security of Australia will not continue to be absolute. She is separated by half the world from England, and from the point where British naval strength is of necessity concentrated. On the other hand, Northern Australia lies

within a few days' journey from the East. Asiatic nations must expand, and Australia, little developed, scantily populated, presents a natural field.

From the nation most in need of new territory for growth, of new fields for commercial development and which can best support its claims by arms—Japan—Australia is secured by the Anglo-Japanese treaty of 1906. But when this expires, when Manchuria ceases to satisfy her the crisis of the commonwealth will come. At present Australia has a land force, including permanent, militia and volunteer arms of 26,000 only,¹¹ although in a few years a general cadet system supported by the proposed conscription scheme will multiply this force many times. Lines of communication overland between the East and West, North and South do not yet exist, and the isolation of outposts of local defence would be fatal should a struggle occur in the next decade. When these circumstances are considered the policy of excluding Asiatics is justified by Australia's extreme needs. Any immigration that would tend to weaken the unity of a nation small in numbers, holding a territory of vast extent must be prevented.

Conclusion

In pursuance of its general policy of exclusion of colored aliens the Australian government passed in 1901 the Pacific Islands laborers' act. The terms and operation of this act are instructive as indicating the thoroughness with which the principle of a "White Australia" is upheld. It had been the custom in Queensland and Northern New South Wales to employ for varying terms of years the natives of the Pacific Islands as laborers on the sugar plantations. By this act no such laborer was to enter Australia after the 31st of March, 1904, with the exception of persons possessed of certificates of exemption under the immigration restriction act, 1901, persons employed as part of the crew of a ship, and persons registered under the Queensland acts (1880-92), such registration to last five years. None were to enter before this date except under a license. In 1902, under provisions of the federal act, licenses were granted to laborers who did not number more than three-quarters of those returning to the Pacific Islands in 1901. In 1903, licenses were granted to laborers numbering not more than half

¹¹Official Year Book Commonwealth, No. 2.

of those who had returned to their native islands during 1902. No other licenses were granted, and all agreements made between natives and employers became invalid after the 31st of December, 1906.

The penalty for persons introducing or allowing a Pacific Islander to enter is £100, recoverable on summary conviction. In all cases the onus of proof that a person is not a Pacific Islander, shall be deemed to lie on the person alleged to be such. Finally under the act officers are authorized to bring before a court of summary jurisdiction a laborer, whom they suppose not to be employed under an agreement, and the court, if he is not so employed or has not been within the past month, shall order him to be deported from Australia. This was before the 31st of December, 1906. After that date the commonwealth minister for external affairs has had power to order any Pacific Island laborer found in Australia to be deported. The provisions of this act are now virtually of no effect, its end having been attained. Deportation did take place in a great number of instances. The test case in which it was decided that such deportation was within the commonwealth power is *Robtelms v. Brennan*, cited above. This right of expelling Kanaka laborers when exercised by a court of summary jurisdiction under the act is within the competence of the commonwealth. The right to expel implied the right to do all things to make the expulsion effective, and so the right of deportation was not conterminous with the limit of the territorial waters of a state.

As a result, of twelve thousand or more Kanakas which formed the floating population of the cane fields, none now remain. White men have successfully taken their place at a rate of pay, however, which is double that formerly given to Polynesians. To prevent the extinction of the industry an import duty of £6 per ton on foreign sugar was made under the federal tariff and a bonus of £2 per ton on sugar grown by whites in Australia was granted to the planters by act of parliament.

No expense is grudging to keep unsullied the policy, and more than a policy, the ideal of a "White Australia." This, as has been shown, is not a passing ebullition of feeling. It may be not inaptly described as the Monroe doctrine of Australia, only it should be borne in mind that we are acting with reference to Eastern Asiatic peoples only. The Australian continent is not a subject for future

colonization and further than that not even for present immigration on the part of eastern races. Any attempt in derogation of this doctrine would be viewed with grave apprehension by Australia, under the aegis of the British empire, and resented as an unfriendly act. This is true even though at present a great part of the continent is far from adequately occupied.

BOOK DEPARTMENT

NOTES

Bellom, Maurice. *Les Techniciens de la Comptabilité.* Pp. 54. Paris: H. Dunod et E. Pinat, 1909.

This brochure emphasizes the importance of a technical training for accountancy, with especial reference to the creation of a corps of licensed public accountants. Practice alone cannot furnish the training necessary to enable a man to go over the accounts of a company and really test its financial standing. A program aimed to furnish such an education should be one which does not cut down the training in liberal branches. How to accomplish this solution is the problem which the author discusses in the light of the experience of all the chief commercial nations. The importance of a reliable accounting in connection with international investment of capital is emphasized. The lessons drawn from foreign experience are applicable to American as well as to French conditions.

Blow, Susan E. *Educational Issues in the Kindergarten.* Pp. xxiv, 386. Price, \$1.50. New York: D. Appleton & Co., 1908.

Reserved for later notice.

Boyd, R. R. *The World's Tariffs.* Pp. 218. Price, 1s. London: Pall Mall Press, 1908.

Bridgman, R. L. *The Passing of the Tariff.* Pp. 272. Price, \$1.20. Boston: Sherman, French & Co., 1909.

Clavery, E. *La Situation Financière du Japon.* Pp. 73. Paris: Berger-Levrault et Cie, 1908.

This monograph aims to set forth the debt of Japan, the resources at hand for defraying this debt and the means adopted to meet the obligations by taxation. The author is optimistic as to Japan's ability to develop her internal resources in spite of the oppressive taxation which is now in force. He finds the per capita debt low in comparison with European countries. The expenditures for non-productive ends, especially for the army and navy, are reviewed at length. The author believes that in spite of the industrial development which will open new avenues of taxation, Japan must resort for a time to the German expedient of borrowing to meet current expenses.

Cleveland, F. A. *Chapters on Municipal Administration and Accounting.* Pp. xvi, 361. Price, \$2.00. New York: Longmans, Green & Co., 1909. Reserved for later notice.

Clifford, H. *Further India.* Pp. 378. New York: Frederick Stokes Company, 1909.

Cowen, Joseph, *The Speeches of.* Pp. 349. Price, \$1.00. New York: Longmans, Green & Co., 1909.

Curwood, J. O. *The Great Lakes.* Pp. xvi, 227. Price, \$3.50. New York: G. P. Putnam's Sons, 1909.
Reserved for later notice.

Davis, M. M. *Psychological Interpretations of Society.* Pp. 260. Price, \$2.00. New York: Columbia University, 1909.

Some two years ago the author privately printed as his Ph.D. thesis about one-third of the present volume, *i. e.*, the second section whose title is "Social Function." This is an illuminating study of the theories of Gabriel Tarde. To this have been added section one, "The Social Mind," and the last section, "Applications." The volume is essentially a survey of the theories of various writers. Dr. Davis has covered a wide range of reading and presents his matter in interesting form. His aim is to give some indication of the processes by which separate individuals develop a common mind.

Earhart, Lida B. *Systematic Study in the Elementary Schools.* Pp. 97. Price, \$1.00. New York: Teachers' College, 1908.

Ewing, E. W. *Legal and Historical Status of the Dred Scott Decision.*

Pp. 228. Price, \$3.00. Washington: Cobden Publishing Company, 1909. Chief Justice Taney's decision in the Dred Scott case has been widely criticized and condemned. Historians generally have characterized its reasoning as forced and specious. Mr. Ewing undertakes to overthrow such arguments and to make a complete defense of the Chief Justice. He marshals evidence to prove that the decision of each question was valid and binding law, and that the repudiation of the principles laid down made the abolitionists the champions of the "most pronounced nullification . . . destructive of the public peace and . . . inexcusable." This portion of the book sounds like an echo from a closed controversy.

Of greater interest is his discussion of the relation of the constitution to acquired territory. This is still an unsettled question and makes the monograph valuable for all students of constitutional law. The jurisdiction of federal courts is also discussed in an informing manner.

Finley, J. H., and Sanderson, J. F. *The American Executive and Executive Methods.* Pp. 352. Price, \$1.25. New York: Century Company, 1908.

There is less unity in this book than could be desired, though the limitations of space explain many of the omissions which could easily have been avoided in a larger work. The first chapters give an historical sketch of the power of the colonial governor and the state executives under the confederation. Next comes a contrast between the few elective officials of the federal government and the state practice of dividing the choice of officials between the executive, the legislative and the people. The relation of the executive to the other departments, the veto, pardon and war powers are well treated, as is also the control over the militia. The treatment of the power of appointment and removal is disappointing. Legal decisions one after another leave the reader confused as to what is the actual condition. A similar criticism applies to the discussion of state boards and commissions. After

going through the chapter the reader knows what agencies there are, but not what they do. The best portions of the book are those showing the shifting relations between the executive and the legislature, the development of the cabinet in the federal government and the war and treaty powers of the President. As a whole, the book is to be commended as a handy reference volume for collateral reading in college classes. The treatment of the various branches of the subject is too brief to satisfy the advanced student, but the proportion assigned to each topic is well planned and the material is presented in most cases in a way that the average collegian can understand.

Gibson's Manual. A reference work embracing railroad, industrial and miscellaneous companies; initial number. Pp. 401. Price, \$5.00. New York: Gibson Publishing Company, 1909.

Gulick, Charlotte V. *Emergencies.* Pp. xiv, 174. Price, 40 cents. Boston: Ginn & Co., 1909.

Jensen, C. O. *Essentials of Milk Hygiene.* Translated by L. Pearson. Second Revised Edition. Pp. 291. Price, \$2.00. Philadelphia: J. B. Lippincott Company, 1909.

Johnston, M. G. *Plain American Talk in the Philippines.* Pp. 197. Price, \$1.25. Manila: John R. Edgar & Co.

Kelly, E. *Unemployables.* Pp. vii, 60. Price, 6d. London: P. S. King & Son.

Kirkham, S. D. *The Philosophy of Self-Help.* Pp. v, 372. Price, \$1.25. New York: G. P. Putnam's Sons, 1909.

Pure, high thinking is the only real method of insuring civilization and progress. With this thought as a background, the author outlines a philosophy of self-help through the use of auto-suggestion. The author presents a brief for the existence of free will and argues persuasively in favor of the acceptance of mental control as a powerful factor in self-help.

The book represents an interesting attempt to harmonize the doctrines of Christian Science and the theories of modern psychology. The trend is distinctively toward a psychological interpretation. Nevertheless, faith in God is strongly emphasized. The philosophy of self-help presented by the author contains nothing which is in itself novel, but it represents a new attempt to apply the theories of mental control in every day life. The philosophy is idealistic and inspiring to a degree and the last third of the book, which presents the philosophy in detail, will bear re-reading.

Latifi, A. *Effects of War on Property.* Pp. 152. Price, \$1.50. New York: Macmillan Company, 1908.

This is not a study of the entire field indicated by the title. Five studies present various phases of the law of war as applied to property. Especial emphasis is placed on topics hitherto little treated by writers on international law. The method of treatment is practical rather than jural. The chapters

indicate the field covered: Property of Enemies and Neutrals on Land; Effects of Conquest on Property; Property of Enemies and Neutrals at Sea; Exceptions to the Rule of Capture of Property at Sea; Inviolability of Private Property at Sea. The last two chapters constitute the chief contribution made, though there are many points in the other chapters on which interesting evidence is presented from the Spanish-American, South African and Russo-Japanese wars.

Lazard, Max. *Le Chomage et La Profession.* Pp. 379. Price, 7.50 fr. Paris: Felix Alcan, 1909.

As an exhaustive study and statement of the facts of unemployment in France, the work is a decided success. Its analytic, scientific style and minutely detailed text will limit the popularity of the book. No definite conclusions are reached. The author, in emphasizing the trade causes of unemployment, minimizes the personal causes to an extent unwarranted by his facts. The book, however, represents an excellent contribution to the statistical study of one of the most menacing of modern industrial diseases.

Lyman, W. D. *The Columbia River.* Pp. xx, 409. Price, \$3.50. New York: G. P. Putnam's Sons, 1909.
Reserved for later notice.

von Mahr, Georg. *Statistik und Gesellschaft.* Pp. 260. Tübingen: J. C. B. Mohr, 1909.

In America the value of the statistical method is fully realized in business enterprises. Its application to social problems is often decried and not without some reason. So few people are trained observers that the great bulk of our statistics is useless. Yet we are improving.

It is a pleasure to turn to this carefully prepared volume on moral statistics, which is only one part of a projected study to be followed by two others. The next volume will finish the discussion of moral statistics, with those of education, and the last volume will deal chiefly with economic and political subjects.

After a general discussion Dr. Mahr takes up such subjects as the presence of strangers in the household, the care of children, etc. He then passes to the group of problems represented by changes in the birth rate, illegitimate births, death rates, etc. The last section of the book deals with statistics of divorce.

The whole study is comparative, evidence being cited from many countries, accompanied by excellent bibliographies. The volume is explanatory, not merely a reprint of tables.

Mangold, G. B. *The Labor Argument in the American Protective Tariff Discussion.* Pp. 115. Price, 35 cents. Madison: University of Wisconsin, 1908.

Maurtua, Anibal. *Arbitraje Internacional entre El Peru y El Brazil.* Pp. lxiv, 538. Buenos Aires: J. Kraft.

In a volume of some six hundred pages the Honorable Anibal Maurtua pre-
(428)

sents the Peruvian case in the arbitration arranged between Peru and Brazil to determine the amount of damages suffered by Peruvian citizens in the Brazilian territory of "Alto Yurua" and "Alto Purus." The volume contains considerable historical matter relating to the jurisdiction over the territory in which the losses were suffered.

The author has marshalled this material with great skill, and has done a real service to students of South American history in reprinting a number of treaties not heretofore available. It is an interesting fact that a great quantity of valuable material on early colonial conditions is to be found in the briefs of counsel before arbitral tribunals.

Meredith, H. O. *Outlines of the Economic History of England.* Pp. viii, 366. Price, \$2.00. New York: Isaac Pitman & Sons, 1908.

This book is designed to be a text-book for degree students at English universities. It traces the economic history of England from the beginning to the present day. In common with many English text-books it is crowded with facts which are not always sufficiently explained or adequately arranged so as to leave clear-cut and definite impressions on the mind. Occasional summaries at the end of chapters would have been very helpful. Considering its scope and purpose the book contains too many critical discussions of difficult mooted points which are of interest to specialists only. American teachers should realize that the author takes for granted that his reader has a very thorough knowledge not only of the political and constitutional history of England, but also a fair acquaintance with general continental European history.

The treatment of the nineteenth century since 1830 is more full and more interesting than in other text-books of its kind. Appendix I is a study of wages and prices from 1250-1885, illustrated by two clear charts. Appendix II contains a short bibliography to furnish supplementary reading for university students.

Montgomery, H. B. *The Empire of the East.* Pp. 307. Price, \$2.50. Chicago: A. C. McClurg & Co., 1909.

Too much is attempted in this book. A general review of all phases of Japanese life from that of naval expenditures to art cannot be adequately made in three hundred pages. Many of the chapters become summaries with too little content to carry the interest of the reader. The author avows his intention to leave aside all discussion of politics and affairs, but unfortunately yields to the temptation to take various excursions into these fields. It is to be regretted that the original plan was abandoned, for much of this discussion is trite and filled with mistaken interpretations.

The chapters on art, architecture, literature and the drama are engaging discussions of fields too often neglected. They are by far the better portion of the book. The chapter on ceramics and lacquer is especially well done. The third of the book devoted to these subjects will be appreciated by all interested in the finer sides of the Japanese civilization. There are excellently executed illustrations, some of them in color illustrating typical fea-

tures of Japanese art. The interpretations given here, the field with which the author is apparently most familiar, will make the book welcome to a large number of readers.

Myers, Wm. S. *The Self-Reconstruction of Maryland, 1864-1867.* Pp. 131.

Price, 50 cents. Baltimore: Johns Hopkins Press, 1909.

This is an account of political conditions in Maryland from the adoption of the "radical" state constitution of 1864 to the adoption of the present "conservative" constitution in 1867. The change from radicalism to conservatism in politics, without the interference of the federal government the author calls "self-reconstruction," thus using the term "reconstruction" in a rather unusual sense—that is, as applied not so much to the working out of the radical policies of proscription and negro suffrage as to the conservative reaction. The discussion is confined to purely political matters; little or nothing is said of economic, social or racial conditions, though these were very important in Maryland. The political situation in Maryland differed little from that in other border states: first, the radicals endeavored to perpetuate their power by disfranchisement, test oaths, the misuse of election machinery, and later by negro suffrage; next came the organization of the conservative forces, the division in the Unionist party, and the overthrow of the radicals. Thus Maryland followed, or rather established, the general rule for the border states.

Peck, Mrs. E. M. H., *Travels in the Far East.* Pp. 349. Price, \$3.00. New York: T. Y. Crowell & Co., 1909.

Mrs. Peck writes with a pleasing conversational style. Her travels in the east extending through Egypt, India, Burma, Ceylon, Java, Siam, China, Japan and Manchuria are described in a series of letters originally written to her daughter. A record of a passing journey such as this does not touch the economic and political problems that now confront the far East, but it does give the opportunity to present in a pleasing manner a series of interesting first impressions. There are one hundred and seventy-five excellent full-page illustrations which bring to the reader some of the most remarkable of the sights visited.

Posthumus, N. W. *De Geschiedenis van de Leidsche Lakenindustrie.* Pp. x, 408. Price, 7.50fr. Copenhagen: M. Nijhoff, 1908.

Smith, E. B. *Essays and Addresses.* Pp. xxxv, 376. Price, \$2.50. Chicago: A. C. McClurg & Co., 1909.

This is a series of writings in which the political conditions of municipal and national affairs are presented with an intimate appreciation of their virtues and defects, but with the added liberty of a personal note, and with an effectiveness which shows that large experience has been given preference over mere academic statement.

The twenty-two articles which compose the volume are grouped under five headings. The first of the groups, "Chicago and Illinois," sketches the history and work of Chicago's Municipal Voters' League, of which Mr. Smith was president, and gives a short account of the civil service situation

in Illinois. The upstanding, intelligent fight in which the author took a prominent and active part, makes the public-spirited reader eager for a similar experience. A splendid portrayal of the detailed dramatic scenes incident to the traction legislation and the passage of Senate bill No. 40, rounds out the group.

Continuing the theme, though the particular is abandoned for the general, the second group falls into line under the caption "Municipal Government." The crippling of representative government by commercialism, the influence of uncontrolled public service corporations, and the indistinct line of separation between state and municipality are all voiced in a tone of blended conviction and regret.

The story of the policy which was adopted in order to determine the status of the inhabitants of our insular dependencies has always possessed an interest not entirely unmixed with grave concern. Mr. Smith presents this crisis in our national affairs as viewed by an anti-Imperialist. It is discussed from a constitutional standpoint. Believing that our foreign policy has become too aggressive, the author cites incidents and comments on their significance to prove his contention. A firm adherence to the fundamentals of the American theory of government is advanced as a remedy for existing evils, both municipal and national.

A quartette of neatly worded essays of a more purely literary nature combine to form the last section, "Miscellaneous Essays." The well-phrased defence of the lack of a composite peculiarly Western literature, in reply to Professor Barret Wendell's characterization, "The Confused West," stands out prominently.

The book is full of information, suggestion and purpose. It is a valuable contribution, because while it solves no problems, it shows us where they really lie.

Thompson, C. B. *The Churches and the Wage Earners.* Pp. 229. Price, \$1.00. New York: Charles Scribner's Sons, 1909.

This work devotes its attention "to a specific clear-cut problem—that of the gulf between the masses of the laboring people and the churches of today." The facts and causes of the alienation of the wage-earners from the churches show that the former as well as the latter are responsible for the present situation. The church is criticized by wage-earners and their sympathizers for not insisting upon spiritual and social equality; for overlooking some of the more immediate needs of the workingman, and for its ignorance of or indifference to social questions. The answer of the church to the above criticisms is discussed at length with emphasis on the teaching of Jesus, on the activities of churches in charity and upon the attitude of the church to social questions.

It is argued in a chapter on Christianity and Socialism, that these institutions are "diametrically opposite in method, aim and spirit," and that the Christian must oppose the extension of Socialism for the same reason that he resists the spread of pure materialism.

The author claims that the old methods and ideas of the church have

failed, and must be replaced by thoroughly socialized forms. This work is an excellent index of the present status of thought upon this vital subject.

Toynbee, Arnold. *Lectures on the Industrial Revolution of the Eighteenth Century in England.* Pp. xxv, 282. Price, \$1.00. New York: Longmans, Green & Co., 1908.

This is a cheaper edition of a work which was published originally in 1884 (Rivingtons, London), with the same title and which has appeared unchanged in at least two subsequent editions. In this newest edition the subject matter is slightly rearranged and a Memoir of the author by Benjamin Jowett is replaced by a Reminiscence by Lord Milner.

The book contains lectures, essays, popular addresses and notes and jottings. Only an unfinished essay on Ricardo and two or three minor papers are of the author's own writing. The rest has been prepared from his own rough notes and those of some of his students. In spite of its inadequate representation of the author's ideas and genius, the book has become very well known. It contains practically all that Toynbee has left in writing. His fame has come not from his teaching and writing, but because of the beautiful yet tragic life he lived. At the early age of thirty-one he died in 1883 from overstrain of work for the social uplift of the masses. Toynbee Hall in the Whitechapel district of East London was dedicated to him in recognition of his early University Extension and Settlement labors.

This book of his is not a great contribution in its field, but it deserves to live as one of the classics of political economy. Hence this cheap edition is very welcome.

Woodruff, C. E. *Expansion of Races.* Pp. xi, 495. Price, \$4.00. New York: Rehman Company, 1909.

Reserved for later notice.

REVIEWS

Cooley, Charles H. *Social Organization.* Pp. xvii, 426. Price, \$1.50. New York: Scribner's Sons, 1909.

I do not know when I have read a book marked by such even quality. The author's thought is on a high plain. His insight clear, his attitude very fair and unprejudiced. There is no striving for bizarre effects in language or style. It is not brilliant. It is a serious and thought provoking study which escapes being heavy or monotonous. The author is to be complimented.

I recall that in criticizing Professor Cooley's earlier volume, "Human Nature and the Social Organism," I objected to his seeming elimination of the physical. Such criticism Dr. Cooley now forestalls by saying that he supposes each person may discuss those aspects of society he feels he understands.

The study is divided into six parts. "The creation of a moral order on an ever-growing scale is the great historical task of mankind." Part I is devoted therefore to the "Primary Aspects of Organization." Modern philosophy is marked by the surrender of the absolute. The old contrast of

self and society must be abandoned. Self and society are twin born, they are different aspects of the same thing. Human nature is essentially the same in all ages and places. "The ideal of moral unity I take to be the mother, as it were, of all social ideals." So we have our great primary groups such as the family which is permanent no matter what forms it may assume or what changes it undergoes. We are coming now to see that "in general the wrongs of the social system come much more from inadequacy than from ill intention." In other words, social machinery must be changed.

In part II, Communication, Dr. Cooley traces the effects of the increasing ease of intercourse. Democracy arises because of free and quick communication. Individuality is quickened, yet there comes strain and perchance breakdown. This leads to the consideration in Part III of the Democratic Mind. "The central part in history, from a psychological point of view, may be said to be the gradual enlargement of social consciousness and rational co-operation." Democracy does not mean as many have feared, the rule of the mob. Routine activities are caused by specialists. The people can choose personalities wisely, but will not pass intelligent judgment on technical questions. Hence even the referendum has limited application. Specialists must immediately abide by the verdict of their associates—only indirectly controlled by the body at large. The masses contribute sentiment. Crowds may be right as well as wrong. Ideals of brotherhood and service are growing.

Part IV contains an illuminating discussion of social classes. Naturally the factors favoring such phenomena in our own land are considered. Their services as well as dangers are noticed. To take a single illustration, Dr. Cooley sees no satisfactory substitute for private property, though he sees clearly the evils resulting. The balance is in favor of the system. But we overemphasize wealth. In time it will lose much of its prestige.

In Part V institutions are considered in their relation to individuals as well as to the social whole. The effect of the changes now taking place in church, state, etc., are discussed. Dr. Cooley is conservative, yet is very ready to allow others to differ. He is not a socialist, yet if others are and wish to advocate changes, why object. In this way society improves. There is no reason to fear revolution so long as the individual has opportunity for self expression.

In Part VI, Public Will, attention is again called to the rôle played by lack of public will on many problems. Government is one, but only one, of the agents of public will. Dr. Cooley is optimistic. Intellectual processes are increasingly efficient. Man is beginning to study his own problems. We now see that the conventionally moral may be the worst enemies of social welfare. Social service as an ideal, social study as a method, social foresight as the means, will constantly adduce social acts and better express the enlightened public will. The volume may well be used as a text or for collateral reading for college classes.

CARL KELSEY.

University of Pennsylvania.

Dawson, William H. *The Evolution of Modern Germany*. Pp. xvi, 503.
New York: Charles Scribner's Sons, 1908.

Propagandist literature concerning Germany has appeared on all sides and it is satisfying to find in this book a gathering together of facts which aims to show merely what the developments have been rather than to prove a thesis. The author shows the remarkable industrial advance of Germany but indicates that this has been possible because of low wage costs and long hours of labor. The relation of capital and labor at present is sketched leading to the conclusion that the cost of living is increasing and that the organization progressing in the ranks of German labor will take away from Germany any peculiar advantage in production.

The labor movement has brought great tension in the relation to employers. The law has yielded to the demands of the workers to the extent of practically legalizing the boycott in most of the states. The different classes of labor organizations and the efforts at industrial consolidation through them and independently by them are discussed. The results so far are indecisive.

The various phases of state activity receive commendation. Nationalization and municipalization have not curbed individual enterprise and the debts, so far as they represent productive investments, are well in hand. The development of internal waterways is commended.

The latter part of the book reviews the German colonial experience. Over-sea possessions are shown to be a costly luxury. No German colony except Togo is as yet self-supporting and the future holds no bright promise. The colonization has uniformly been followed by extravagance in expenditure and cruel treatment of the aborigines. The discussion has here an English tinge in spite of the author's evident desire to be fair. The last two chapters dealing with Socialism and the Polish question show that these factors in German life are not so much elements to cause alarm as disappointment. Force has come to be more and more the characteristic of German government. The old humanitarian civilization has given away to the militant industrial state which works for uniformity at the same time as obedience. This attitude accentuates the class struggle and the race struggle. Throughout the book, indeed, there are evidences that the author thinks the present Germany a much less livable country than it was in the time when industry, trade and foreign commerce played a less important rôle in the national life.

No single volume can adequately treat the subject of this work. Mr. Dawson has succeeded, however, in putting in readable form a mass of information which will prove valuable to every student of industrial advance and international affairs

CHESTER LLOYD JONES.

University of Pennsylvania.

Devine, E. T. *Misery and its Causes.* Pp. xi, 274. Price, \$1.25. New York: Macmillan Company, 1909.

Many valuable additions have recently been made to the literature of the social worker, but none more valuable than this last work of Dr. Devine's. We can do no better than quote the following sentence of the editor of the American Social Progress Series, of which series this volume is the third to appear. "With fascinating realism, with astonishing concentration, with the keenest insight and interpretation of the results of an unusually rich, deep and varied personal experience, and with a charm of style and a perfectly irresistible optimism in treating some of the saddest facts of human life, Professor Devine has placed us all under lasting obligations not only for a better understanding of the causes of misery, but also for the realization of the fact that there is a prophylaxis of misery and the promise of a real world in which it will be reduced by social control to manageable proportions."

In this work the author sets for himself the task of examining the causes of human misery. Misery he differentiates from poverty by defining the latter as the absence of wealth while misery implies not only lack of wealth, but also a low standard of living, overcrowding, overwork, disease, friendlessness and like disadvantages. The field is covered in six chapters with the following significant titles: Poverty and Maladjustment; Out of Health; Out of Work; Out of Friends; The Adverse Conditions in Dependent Families, and The Justice and Prosperity of the Future.

To Dr. Devine misery is the result of social maladjustments which "are being perpetuated by the present voluntary action of men." It is "communicable, curable and preventable" and lies "not in the unalterable nature of things, but in our particular human institutions, our social arrangements, our tenements and streets and subways, our laws, and courts and jails, our religion, our education, our philanthropy, our politics, our industry and our business."

In the second, third and fourth chapters, poor health, unemployment and friendlessness as causes of misery are respectively discussed and illustrated by a wealth of diagrams. The material found in the chapter on "The Adverse Conditions in Dependent Families" is a first-hand and intensive study of five thousand families who came under the care of the Charity Organization Society of New York in the two years ending September 30, 1908. The four most important disabilities present in these families are found to be unemployment, 69.16 per cent; overcrowding, 44.68 per cent; widowhood, 29.44 per cent; chronic physical disability other than tuberculosis or rheumatism, 27.30 per cent. Other causes of decreasing importance follow; *e. g.*, intemperance, 16.66 per cent; tuberculosis, 12.38 per cent; immorality, 5.12 per cent; criminal record, 3.02 per cent, etc.

Under the title, "The Justice and Prosperity of the Future," Dr. Devine enumerates certain of the essential conditions of a normal community, meaning thereby such a community as may be "realized by reasonable effort and a moderate exercise of national social control." The discussion is virtually

a program of social work. The book is permeated with the belief that it is possible to have a new civilization in which misery is eliminated right here and now and that it will be attained when we socially apply the knowledge of the causes of misery already in our possession.

FRANK DEKKER WATSON.

University of Pennsylvania.

Hasbach, W. *A History of the English Agricultural Labourer.* Pp. xvi, 470. Price, 7s. 6d. London: P. S. King & Son, 1908.

American students of economic history and of labor problems will welcome this English translation of Dr. Hasbach's well known work, especially as the book as it now appears is not simply a translation of the German original of 1894, but of a thorough revision made by the author especially for this translated edition.

More attention is given in this edition than in the original to the development of a free laboring class in England, and a chapter is added on the agricultural laborer from 1894 to 1906. To quote from the author's introduction, "The first chapter of this book attempts to tell how the agricultural laborer rose to personal freedom [pp. 1-70]; the second chapter, how he lost his property [pp. 71-170]; the third shows his degradation [pp. 171-216]; and the latter chapters [pp. 217-353] recount the endeavors made to improve his position and to raise at least a part of his class into the class of undertakers."

In England, the agricultural classes have become more completely divided into three distinct classes, landlords, tenant farmers and wage laborers, than in any other country in the world. The possibility of rising from a lower to a higher agricultural class is, in England, exceedingly remote. While the agricultural laborer is the central figure in this book, the telling of the story of this one class involves the writing of the history of the growth of all three classes and their interrelations. This task has been admirably performed by the author.

H. C. TAYLOR.

University of Wisconsin.

Lecky, W. E. H. *Historical and Political Essays.* Pp. 324. New York: Longmans, Green & Co., 1908.

The publication of this collection of essays was planned by Mr. Lecky, but only four of them had been revised at the time of his death. Thirteen were originally given as addresses or contributed as articles to reviews or magazines; one, the "Memoir of the Fifteenth Earl of Derby," had been prefixed to the volume of his speeches and addresses. Like the last named, several others deal with phases of biographical criticism. "Formative Influences" is a bit of autobiography. It sketches the influences that diverted Mr. Lecky from theological studies and the prospect of "a peaceful clerical life in a family living near Cork" and turned him into the path of literature, taking

up the nine years of his life from the time he entered Trinity College, Dublin, until 1865, when his "History of the Spirit of Rationalism in Europe" was published.

It is most fitting that the last volume of a veteran historian should contain studies on "The Political Value of History" and "Thoughts on History." The latter emphasizes the influence upon the life of a people of its fictions, its legends and its ideals, as he says: "Ideals ultimately rule the world, and each before it loses its ascendancy bequeaths some moral truth as an abiding legacy to the human race." A volume by M. Leroy-Beaulieu furnishes the title to a suggestive review, "Israel among the Nations." Colonial problems, especially the favorable changes of attitude in England toward the colonies in the middle of the nineteenth century, are taken up in "The Empire."

"Ireland in the Light of History" is interesting as coming from one so well informed on Irish matters as was Mr. Lecky. After a well-digested survey of the history of the Irish question there follows a brief discussion of some of its present phases with a decided bias against Home Rule and the recent land measures. This essay should be read in connection with "Old-Age Pensions," in which the author's conservative political attitude has much scope. He was a member of a committee appointed by the government to investigate the subject, and wrote the adverse minority report. He says: "No form of state socialism is more dangerous than the doctrine which has been countenanced by Prince Bismarck and which is making many disciples in England; namely, that an industrious man, . . . is entitled, if he fails in obtaining a sufficiency for his old age, to be placed as a 'soldier of industry' in the same category as state servants, and to receive like them, not on the ground of comparison, but of right, a state pension drawn from the taxation of the community." The present tendency in England "to aggrandize the functions of the state and to look to state aid or state control rather than individual or co-operative effort as the remedy of every evil" Mr. Lecky deprecates very much. Working-class politics, as he thinks, have become dangerous and have too largely influenced the elections. "The income tax is so arranged that a large majority of the voters are exempt from its burden; a highly graduated system of death duties is now nearly the most prominent of our imperial taxes; and the local government act of 1894 has placed local taxation on the most democratic basis. The latter has given the power of voting rates to many who do not pay them; and by abolishing the nominator, or ex-officio guardians, and the plural voting of the larger rate-payers, it has almost destroyed the influence of property on local taxation." It is almost a pity that he could not have added to this list of grievances the last budget brought in by Mr. Lloyd-George with its frank increase of taxation upon the moneyed classes.

WILLIAM E. LINGELBACH.

University of Pennsylvania.

McDougall, W. *An Introduction to Social Psychology.* Pp. xv, 355. Price, \$1.50. Boston: John W. Luce & Co., 1909.

In the view of the Oxford professor social psychology is a province of psychology rather than of sociology. Less than a quarter of the book treats of the behavior of associated men. Three-fourths of the book are given up in considering human nature on its affective and conative side, which the author very properly regards as more significant for the life of societies than the cognitive side. Instinct, impulse, emotion, sentiment, and will are discussed not only with great fulness, but with a precision in terms, a clarity of explanation and a logical consistency that make the treatment of the subject the most satisfactory known to the reviewer. In his conception of instinct and the instinctive process, his theory of the emotions, his doctrine of the sentiments, his account of organization of the primary elements into the more complex states, and especially in his masterly theory of volition, the author shows himself original and constructive.

He has, however, no great acquaintance with social facts, and hence the second section of the book, treating of "the operation of the primary tendencies of the human mind in the life of societies" offers far less than the first section. To the social scientist, the value of the book lies in the flood of light it throws on the nature of the social forces. Sooner or later the representatives of ethics, economics, politics and jurisprudence will have to find a basis in the kind of psychology developed by Professor McDougall.

EDWARD ALSWORTH ROSS.

University of Wisconsin.

Williams, C. D. *A Valid Christianity for To-day.* Pp. 289. Price, \$1.50. New York: Macmillan Company, 1909.

This volume comprises a series of sermons whose purpose is to present a Christianity that is valid for to-day. The author insists that such a Christianity must "moralize our industrial, political and commercial life, and humanize our social life." It must cleanse the heart and invigorate our moral life also.

The discourses on Christianity and the World, Dives and Lazarus, and The Extended Hand lay stress upon the duty of the church to recognize the need of sympathetic contact with the morally depraved and physically degenerated. A plea for the child and for character and integrity in business men is made in the discourses on The Legal Conscience and The Value of a Man. The service of his fellows is the ideal end for employer and employee in realizing the Christian ideal of democracy. The object of life should be to "make all you can out of yourself but never for yourself." These ideas are emphasized in the discussions on The Gospel of Democracy, The Uses of Life and The Supreme Value. Bishop Williams has clearly indicated in this volume the trend of modern Christian thought in dealing with present social conditions.

S. EDWIN RUPP.

Lebanon, Pa.

THE SECURITIES MARKET AS AN INDEX OF BUSINESS CONDITIONS

BY THOMAS GIBSON,

Author of "Cycles of Speculation," "Pitfalls of Speculation," etc., New York.

That present business conditions are excellent, does not admit of argument. We may easily measure the extent of activity by such barometers as bank clearings, conditions in the iron and steel trade, railroad earnings and the crops. The recovery from severe depression has been unprecedented in its rapidity, and so far as can now be seen, there are very few clouds on the horizon.

It is, however, always the case after a rehabilitation of this character, that we are prone to grow a little too enthusiastic; to over-estimate possibilities and to allow our optimism to carry us somewhat further than is warranted. Optimism is a good thing. The man who has learned to believe things has learned a great deal; but the man who learns to believe too much is in danger. When a remarkable and rapid convalescence has taken place in the business world it does not follow that no disappointments will come. As a Persian proverb has it, "No tree ever grows to heaven." Both security prices and general business have now reached, or at least are nearing, a stage where caution should be exercised and where academic examinations are more important than plain information. A year or two ago we could argue with a great degree of confidence that in the natural order of things, improvement would occur. We were right; the anticipated improvement is now before us and being a demonstrated fact, ceases to be speculative.

As an example of the tendency to ignore whatever may be evil during a period of confidence and prosperity, it may be noted that we have encountered some disappointments recently in our crop prospects; notably in corn and cotton. Such disappointments are either dismissed by the bold statement that the government estimates are entirely wrong, or by specious statements which will not bear the light of logic. After the last government report showing a reduction of almost 300,000,000 bushels in our corn crop estimates, the arguments were heard on every hand that even

with the reduction we would make a good crop of corn, and that high prices made up for any deficiency which might occur in the supply. Admitting the truth of the statement that a fair crop was indicated, even after subtracting the loss, it must be remembered that many business plans had been made in anticipation of a much greater crop. The fallacy of assuming that high prices can cover deficiency of supply can be exposed by the most elementary study of economics. This is particularly true of a commodity like corn, which is practically all consumed within our own borders. A bountiful crop, at reasonable prices, gives employment to laborers and railroads, and permits the consumer to provide for his wants at a fair figure. A poor crop at high prices cuts down the general purchasing power of farming commitments; decreases railroad traffic, both freight and passenger, and amounts in the last analysis to the mere swapping of dollars. With cotton it is somewhat different, as cotton is our great money crop, and the money received from that commodity is greater than the sum received from our exports of all cereals combined; even when we include these cereals in their manufactured form, such as flour, meats, glucose, etc. Our short cotton crop is, therefore, to some extent, offset by higher prices, but the loss of traffic to carriers, and the improper distribution of money remains. In my opinion the ideal form of prosperity is represented by normal production and normal prices throughout the civilized world.

In prognosticating security prices, we go much further into the future than in examining general business prospects. The anteriority of stock prices is the most important of all factors which are presented to the student of prices or values. The market not only discounts all that is *known*, but the brightest minds in the world are constantly engaged in analyzing what is *probable*. For example, the stock market made no advance in 1906 and declined steadily during the greater part of 1907, yet both these years were years of big business. The depression of 1908 was discounted, and when 1908 arrived, a year of stagnation, security prices moved steadily upward. From January 1 to December 31, 1908, the average level of railroad stock prices advanced about twenty-nine points. Since January 1, 1909, they have advanced to this writing (September 25) about ten points, and in the last two months, during which our anticipated improvement in business has taken

visible form, they have advanced not at all. This is shown by the following table:

AVERAGE PRICE OF RAILROAD AND INDUSTRIAL SECURITIES SINCE PANIC
OF 1907.

	Lowest in panic (Nov. 21, 1907).	Jan. 2, 1908.	Dec. 31, 1908.	Aug. 1, 1909.	Sept. 25, 1909.
Railroads	65.61	71.75	99.97	110.55	109.52
Industrials	46.87	49.69	75.29	83.69	83.88
General average	56.24	60.72	87.63	97.12	96.70

On January 2, 1907, the same securities averaged 105.27 for railroads and 86.41 for industrials. Therefore, the panic of 1907 has been wiped out so far as security prices are concerned.

It is my opinion that the recovery in business both as it refers to actual developments and to such prospective probabilities as are plainly in evidence has been discounted in security prices. This does not mean that prices are too high, but that they are, generally speaking, high enough so far as our recuperation may be measured. What we must now seek in order to gauge future movements intelligently, are the submerged factors. The man who can correctly foresee the business affairs of 1910 and 1911 is the man who will make money in securities now. What we already know is of no further value. To attempt to *speculate* on known factors is a direct contradiction of the word "speculation."

Looking at values, instead of prices, we find few rules for our guidance. Even stability of dividend or interest rates does not guarantee us against violent price changes. In the panic of 1907 Chicago and Northwestern, a seasoned investment stock, made a greater percentage of decline than did Union Pacific, a highly speculative security, with an untried rate of disbursement. We may try to adopt the rate of income on high-grade securities with a long dividend record as a guide, only to find that any rule we may formulate is empirical. In 1881 the market collapsed from an average yield of five and one-quarter per cent. In 1891 prices advanced until the yield on the same securities was reduced to four and one-half per cent, and in the boom of 1906 the high stock prices cut the yield down to three and one-quarter per cent. At present the average is about four per cent. If we equal the record of 1906 our stocks would have to advance ten to fifteen points, on the average, from the present prices. But in looking at the possi-

bility of such an advance, we must remember that early in 1906 stock prices overleaped themselves very badly, and that the pinnacle was of an artificial and temporary nature. Personally I should say that four per cent is a small enough yield and that further advances should be based more upon dividend increases than upon present conditions. It will not do to lend a too credulous ear to the inspired talk or street rumors of forthcoming dividend increases or other emoluments. The only way to arrive with any degree of accuracy at a probable increase of distributions is to scrutinize the published reports of the corporation in question and see if such an increase is warranted. Such study will sometimes develop the fact that a dividend is increased without any justification, in which case we may be certain that the stock is a trap and that the increase is for the edification of the public, in order to induce careless and unsophisticated people to buy. There is always some talk of "concealed assets" when a corporation advances dividends without a reason for so doing, but it is a good plan to avoid properties which resort to concealment of anything.

One thing to which the student of security values should give earnest consideration at present is the comparative values of railroad and industrial securities. Industrial issues may be said to be in their infancy, but many of them have excellent dividend records particularly in relation to the preferences. The business and earnings of industrial corporations are more flexible than is the case in railroads, but the gradual enhancement of value is more rapid. The growth of the United States Steel Corporation is an instance of what a well-managed industrial enterprise can do. Fundamentals are also in favor of industrial stocks. The steady advancing trend of commodity prices operates against railroad issues and in favor of many industrial issues. Bonds and securities, with a fixed rate of income, are also unfavorably affected by this continued rise in commodity prices. The basic cause of this tendency has been assiduously sought by students for some years, and the consensus of opinion favors the gold theory. Personally I have accepted the theory as being correct, and also as being the most vital fundamental affecting the different classes of securities.

I cannot undertake, in the space assigned to me, to enter into a full discussion of this large phase of the question, but a few suggestions may be of interest. The increasing supply of gold

tends to advance commodity values. The index numbers of Dun's, Bradstreet's, and other compilers, show that in ten years commodities generally have advanced almost fifty per cent. Gold, being a fixed standard, cannot apparently decline, but the oversupply is represented by a loss in purchasing power, *i. e.*, an advance in the things gold will buy.

This advancing trend of commodity prices tends to increase interest rates or, rather it tends to add amortization to interest. The man who loaned ten thousand dollars ten years ago at five per cent has the principal returned to him to-day with its purchasing power reduced almost thirty-three and one-third per cent. Therefore he has had very little, if any, interest on his loan, as money can be measured only by what it can buy. If these two influences are admitted, we may adduce the following effects on security prices:

(1) Bearish on bonds, preferred stocks, or other securities having a fixed rate of interest.

(2) Bearish on the common stock of railroad corporations. The cost of maintenance, equipment, rails, and all other commodities, including labor, goes up steadily, while traffic rates rise grudgingly. The evil effects are offset, to some extent, by returns in the form of dividends, enhancement of property values, etc., but these emoluments do not entirely overcome the higher cost of operation.

(3) Bullish on the securities of industrial corporations. Here the selling price of the commodity produced rises with the cost of production. Exceptions should be noted in the case of gas, electric lighting and other public utilities corporations where the selling prices are fixed by law.

(4) Bearish on securities of traction corporations. This is probably the weakest spot of all. The five cent fare is proverbial and will be advanced with great difficulty to meet the increased cost of producing transportation.

(5) Bullish on the prices of speculative commodities, such as wheat, corn, cotton, etc. We need only glance at the nominal prices of these commodities a decade ago, as compared with to-day, to see how steadily the level has risen.

It is a great mistake to argue that the effects of increasing gold production are too remote, or too slow of operation, to affect the investor or speculator. The matter should receive the serious atten-

tion of every man who is interested in, or contemplates being interested in, securities or business of any kind. The literature on the subject is rather meager, but there are several good works which cover the main question thoroughly.

In examining the numerous influences which affect security prices and values from year to year, we may count the salient factors on the fingers of one hand. Crops, gold production, money, mining and politics. There are many interdependent factors, of course. In fact, so far as the movements of security prices are concerned, everything appears to hinge on the crops. It is found that only once in twenty-five years has the stock market failed to advance in good crop years, or to decline in poor crop years. The exception occurred in 1896. That year was a cardinal exception, as the silver agitation had tentatively discredited us, in the eyes of the entire financial world. Bank clearings, trade balances, etc., which have been mentioned as being barometrical, depend primarily upon the crops. With large cereal, cotton, fruit and hay production, we will have satisfactory bank clearings and satisfactory trade balances. Mining is not subject to the climatic influences bearing on the crops and can be more accurately gauged.

It has been my intention in this article to emphasize the necessity of continually studying future probabilities in forming our opinions as to the future of security values. In this I have probably digressed from the subject as laid down for me by the editors of this work. Reverting to the exact title, "The securities market as an index of business conditions," I will offer the brief opinion that business improvement is about discounted in the rank and file of securities. For bonds I see little hope of an advance from this level and some strong possibilities of a sagging tendency in the not distant future. The preferred stocks of railroads are also high enough. There are still some bargains in the industrial preferences but they are few in number. Railroad common stocks which pay dividends are on a four per cent income basis, which is high enough under present money conditions. Further advances in this group are dependent on the ability of corporations to increase dividends or show a greater net earning power. Industrial common stocks are in the speculative class as yet, but the investor who is capable of discrimination, will probably find his greatest opportunities in this group.

PRESENT CONDITION OF INTERNATIONAL TRADE

BY JOHN J. MACFARLANE,

Librarian and Statistician, Philadelphia Commercial Museum.

The total value of international trade is now double what it was in 1880, when it amounted to 14,500 million dollars. In 1900 it was 21,500 million dollars, and in 1907, 30,854 million, an increase of 9,354 million in seven years, a greater increase than in the preceding twenty years.

The value of the imports in 1907 was 16,329 million dollars and of the exports 14,525 million. Although imports and exports include the same articles and should be of equal value, the total combined value of the imports of all nations is always about ten per cent greater than that of the exports. This arises from the fact that in some countries the cost of freight and insurance is added to the invoiced value of the goods, and in others a system of evaluation of imports is adopted, which is usually larger than in the country from which the goods are exported.

The total value of the world's commerce in 1908 was about 28,720 million dollars, or 2,154 million less than in 1907. The imports amounted to 15,120 million dollars and the exports to 13,600 million. The charts give the value of the imports for home consumption into and the exports of domestic products from every country, in which they amounted to over 100 million dollars in 1908. They also indicate how much the value is greater or less than it was in 1907 by prefixing plus or minus signs to the difference.

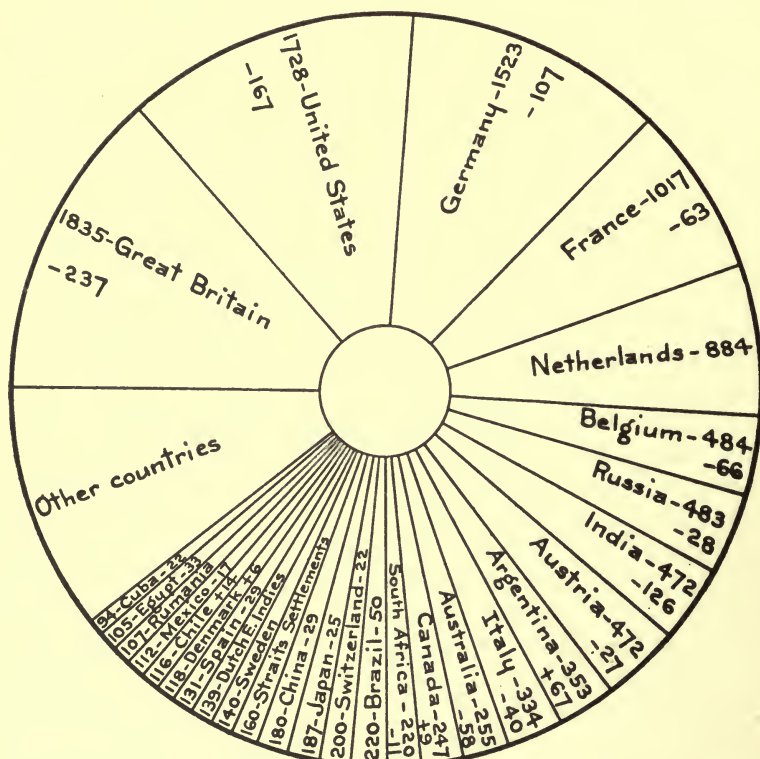
Two-thirds of the value of the commerce of the world is made up of the exports from and the imports into European countries. If the value of the trade of the United States is added to this it will be over three-fourths. The combined commerce of all countries in Asia, Africa, Oceania, South America and North America, outside of the United States, is less than one-fourth that of the whole world.

It can also be readily seen from the charts that the combined value of the exports from and the imports into four countries—Great Britain, Germany, the United States and France—makes nearly

one-half of the world's trade. The combined values of the countries given in the chart amount to about ninety per cent of the total trade. The 1907 values for the Netherlands,¹ Dutch East Indies, Straits Settlements, Turkey, Sweden and Roumania are given in the charts, as those of 1908 are not yet available.

COMMERCE OF THE WORLD

EXPORTS OF DOMESTIC PRODUCTS, 1908. TOTAL VALUE—\$13,600,000,000



Values by countries given in millions of dollars. "+" and "-" indicate the difference between 1908 and 1907.

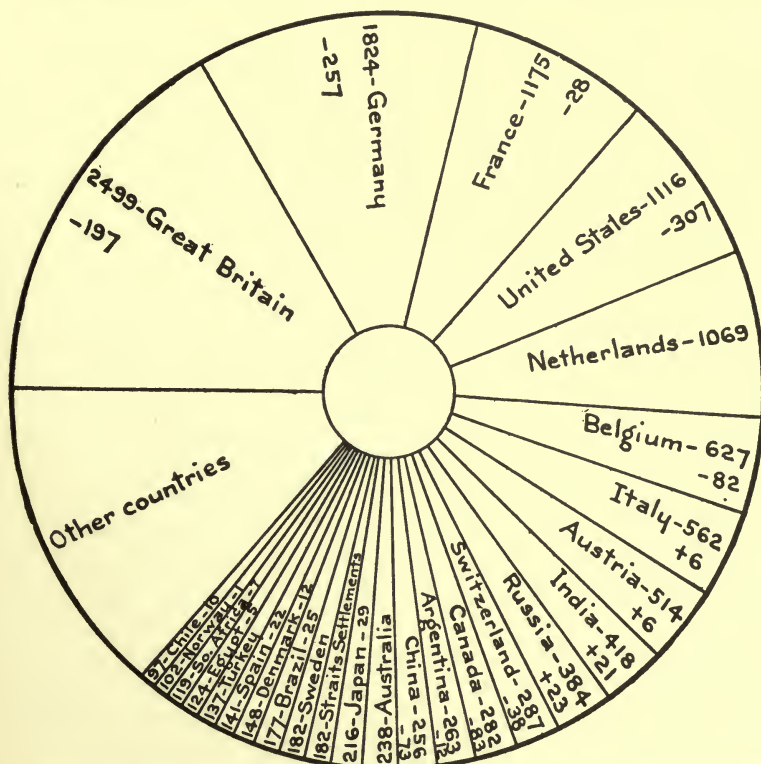
The imports of every nation decreased in value, excepting Italy, Russia, India and Austria Hungary. In like manner, the exports of every nation decreased, excepting Argentina, Chile,

¹ Netherlands, 1908—Imports, 1,134 million dollars; Exports, 876 millions.

Canada and Denmark. The largest decreases in imports were in the United States, 307 million dollars; in Germany, 257 million; in Great Britain, 197 million; in Canada, 83 million; in Belgium, 82 million; and in China, 73 million. In exports, the largest decreases were in Great Britain, 237 million dollars; in the United States,

COMMERCE OF THE WORLD

IMPORTS FOR CONSUMPTION, 1908. TOTAL VALUE—\$15,120,000,000.



Values by countries given in millions of dollars. "+" and "-" indicate the difference between 1908 and 1907.

167 million; in India, 126 million; in Germany, 107 million; in Belgium, 66 million; in France, 63 million; in Australia, 58 million; and in Brazil, 50 million. The only very large increase was 68 million dollars in the exports from Argentina.

How general the depression of commerce throughout the world was in 1908 is readily seen from the predominance of minus signs before the differences between the trade of 1907 and 1908. This depression was the result of a number of causes, but it is generally attributed to the financial panic in the United States in October, 1907. The public knew no other reason for so sudden a collapse of financial credit and therefore took an effect for a cause.

Five years of prosperity had succeeded each other and it seemed at times that in some lines of business it was almost impossible to supply the demand. New mills were erected or new machinery installed in order to increase the output. Over three million spindles a year were added in the cotton industry alone, but there was no corresponding increase of consumption. As a natural result of the increased output, supply soon overtook demand. Then large stocks of goods began to accumulate in the leading centers, waiting for a hoped-for increase in demand to take them off the market. In addition, in many small markets, where no one had any suspicion of their existence, smaller stocks were being held. In this way a condition was created which would be affected adversely by influences which under ordinary circumstances would have no effect.

In Southern and Eastern Asia lie two countries—India and China—in which nearly half of the people of the world are to be found. Anything that affects these people injuriously is bound in time to react on the rest of the world. In 1907, the southwest monsoon, which occurs from June to September, failed, and famine conditions with their accompanying distress extended over an area of 133,000 square miles, with a population of fifty million.

The production of nearly all the food products in India was short, leaving the millions engaged in raising them without the regular pay for their labor, and as a consequence unable to buy the usual quantities of food and clothing. The effect of this was not immediately apparent in the statistics of trade. India exported 498 million dollars' worth of goods in 1907, but in 1908 their exports fell off 126 million dollars, thus showing how much India had suffered.

The great financiers of New York and elsewhere, through their unusual facilities for obtaining information, knew all about the failure of the monsoon and that there would be a failure in the

crops of India, before any indications of it reached the general public. They immediately began to take in sail and prepare to save their interests from the coming storm. Others seeing their actions, but not knowing the cause, took fright and followed their example. Soon the general confidence was lost and the panic was on.

This panic made New York and other financial centers draw on the gold reserves. As a consequence of this a fall in the price of silver followed, and the Chinese Haikwan tael decreased in value from seventy-nine or eighty cents to sixty-five cents, thus lowering the purchasing power of China. In 1908 the value of the exports from China had fallen from 209 million dollars in gold to 180 million, and the imports into China from 329 million to 256 million. This falling off reacted on Japan, as well as India and other countries, and the exports from Japan fell off twenty-six million dollars.

The depression of commerce in 1908 is, therefore, like most economic conditions, the result of a number of causes. First in point of time came the unwise overproduction of the manufacturing industries of the United States and Europe, causing a large accumulation of unsold goods. Next, the failure of the southwest monsoon in far-off India, resulting in famine and the consequent underconsumption of food and clothing among hundreds of millions of people. This made it certain that the accumulated stocks could not be sold at current prices. Then followed the endeavors of the financiers of New York to save their interests from the impending storm, which precipitated the financial panic of 1907, the effects of which soon reached every country in the world. From this may be learned the lesson that no country is benefited in the long run by the misfortune of another; that losses arising from famine and pestilence, from wars, from poor government, or bad economic conditions, wherever occurring, affect all.

Turning to the consideration of the present condition of the world's trade, a fair idea of it can be obtained from a study of the following table, in which the value of the imports and exports of the countries named are given for as many months of 1909 as statistics are available at the time of writing. The values for the same periods of 1907 and 1908 are added in order to show the progress of the trade. The complete change in the course of trade in 1909 from that of 1908 is evident at a glance. In 1908, as

COMPARISON OF TRADE OF 1909 WITH THAT OF 1908 AND 1907.

COUNTRIES.	No. of mos.	IMPORTS.		Increase or decrease in 1909 compared with 1908.	EXPORTS.			Increase or decrease in 1909 compared with 1908.
		1907.	1908.		1907.	1908.	1909.	
Argentina.....	6	125.9	126.6	+ 9.6	178.9	215.1	242.8	+ 27.7
Australia.....	6	118.6	115.8	- 2.9	147.6	136.7	143.1	+ 7.6
Austria-Hungary.....	6	234.6	253.6	+ 13.4	222.0	225.2	226.2	+ 1.0
Belgium.....	7	412.0	353.4	- 379.8	293.0	266.5	273.2	+ 6.7
Brazil.....	6	91.9	90.2	- 8.0	144.0	96.3	114.3	+ 18.0
Canada.....	7	216.8	162.7	- 190.9	117.6	120.1	121.3	+ 1.2
France.....	8	794.1	712.1	- 40.0	714.1	630.9	678.9	+ 48.0
Germany.....	6	1,034.1	908.4	- 46.6	787.0	737.0	739.0	+ 2.0
India.....	6	186.7	219.2	+ 176.7	334.3	249.4	287.2	+ 37.8
Italy.....	7	347.8	327.7	- 359.7	218.9	194.3	203.9	+ 9.6
Japan.....	7	152.5	144.5	- 123.9	117.6	102.3	107.8	+ 5.5
Mexico.....	6	61.8	49.2	- 41.9	65.0	57.4	61.0	+ 3.6
Russia.....	6	164.8	183.9	+ 182.8	198.0	189.2	262.4	+ 73.2
South Africa.....	6	64.2	60.7	- 61.2	116.3	108.0	115.5	+ 7.5
Switzerland.....	6	155.4	138.1	- 143.8	107.9	96.8	100.5	+ 3.7
United Kingdom.....	8	1,788.9	1,631.6	- 1,651.6	1,382.5	1,236.0	1,189.7	- 46.3
United States.....	8	1,001.7	700.0	- 946.5	1,196.2	1,091.1	1,007.4	- 83.7

(Values given in millions of dollars.)

shown in the charts, decreasing trade is the rule; in 1909, as shown in the table, increasing trade is the rule. Only six countries show a decrease in imports—India, Japan, Brazil, Mexico, Australia and Russia; and only two a decrease in exports—the United States and Great Britain. Four countries—Argentina, Austria-Hungary, Russia and Italy—imported more than in 1907; and four—Argentina, Austria-Hungary, Russia and Canada—exported more than in 1907.

The United States and Great Britain are the largest exporting nations in the world. In the United States, the exports were 83 million dollars less than in 1908 and 188 million less than in 1907. In Great Britain, the exports were 46 million less than in 1908 and 192 million less than in 1907.

The falling off in the United States is mainly in raw cotton and a number of food products. The falling off in these is equal to the total decrease in the value of all products, as can be seen from the following table, where the values are given in millions of dollars:

	1907.	1908.	1909.	Decrease.
Cotton	238	212	193	19
Wheat	29	53	21	32
Flour	40	38	26	12
Cattle	23	16	10	6
Fresh beef	19	10	6	4
Bacon	15	18	15	3
Pork	11	7	3	4
Hams	17	17	15	2
	<u>392</u>	<u>371</u>	<u>289</u>	<u>82</u>

This falling off is due to the high prices of raw cotton, wheat and flour, which the markets of the world are not yet willing to pay. There was also a decrease in the quantity of wheat and flour exported, as well as in the value. Of raw cotton, seventy million pounds more were exported than in 1908.

In Great Britain the falling off in the values of three articles is more than the total decrease, as is shown in the following table, in which the values are given in millions of dollars:

	1907.	1908.	1909.	Decrease.
Cotton yarn and textiles	370	335	306	29
Machinery	102	103	93	10
New ships	35	29	20	9
				<u>48</u>

Nearly one-half of the loss is in the value of the exports of cotton goods, yarns, etc., to India, which fell off twenty-five million dollars from that of 1908.

The facts given in the charts and tables will enable any one to form his own opinion as to the course of trade during the last three years.

In Great Britain and Germany, in 1909, there was a great falling off in the value of textiles exported, especially cotton goods; and in the United States, in the exports of cotton. The imports of raw materials will show whether the manufacturing countries have exhausted their stock and are ready to make new textiles. The imports of wool into the United States have increased twenty-three million dollars; into Great Britain, sixteen million; and into Germany, fifteen million. The imports of silk into the United States have increased fourteen million dollars; into Germany, three million; but those into Great Britain have decreased slightly.

Cotton, the most important of all, and one of which the United States does not import any quantity, being the largest producer, does not show any great increase in value. In Great Britain it fell off one million dollars, although it increased two million pounds. In Germany it increased two million dollars in value and in quantity eight million pounds.

In jute, the United States increased its imports over one million dollars, while those of Great Britain decreased three million. In hides and skins, the United States increased twenty-five million dollars; Great Britain, six million; and Germany, four million. In rubber, the United States increased seventeen million; Great Britain, thirteen million; while Germany fell off slightly.

Taking these as examples it will be found that the tendency in these countries is an increased use of raw materials, but that in the United States the increase is far greater than in either of the other countries. This increase of imports in the large manufacturing countries is the most promising feature in the world's trade, because it means that the money from wealthy nations is going to the suppliers of raw materials. This will enable them to purchase the manufactured products of other nations, by exchanging their raw materials and food products for them, so that next year the non-manufacturing countries will increase their imports and wipe out the decrease in exports of the two leading countries.

Three nations will be the leading competitors in the future trade. Each of them has certain advantages which the other does not possess. Great Britain has the accumulated capital arising from its manufacturing industries during a long period of freedom from invasion. It also has the inherited skill and tendency for commercial and industrial operations. It is the leading shipping nation of the world, the trade of other countries being largely carried on in its vessels. It is the leading banking nation of the world, London at present being the world's financial center, although it may not be long until that is shifted to New York.

Germany has the advantage derived from the careful development of its industries through the scientific skill of those in charge of them. This is largely the result of their system of education. It also has the advantage in foreign trade of habits of working together for an end, and the influence which the German government, more than any other, gives to advance the trade of the individual German merchant or corporation. As a result of its military system, the habit of following the government's orders is extended into business lines.

The United States has more of the material resources necessary for the expansion of trade, both at home and abroad, than any other nation. If it were not that its manufacturers and merchants were so busy keeping up with the demands of home trade, their competition in the foreign markets would be more dangerous to their rivals.

To-day, the United States is the greatest agricultural nation in the world, 8,000 million dollars' worth of grain, cotton and other farm products being raised annually. This is more than any other two nations in the world. The United States is also the greatest mineral producing nation of the world, the value of the annual product of its mines being over 2,000 million dollars, or more than all the countries of Europe combined. The value of the product of the coal mines of the United States is greater than that of all the gold mines in the world, and more than the value of all kinds of minerals produced in Great Britain or any other country.

The United States is also the greatest manufacturing country of the world, the output of its factories in 1905 being valued at 13,000 million dollars. The United States raises seventy-five per cent of the cotton of the world. It consumes twenty-nine per cent

of the world's product, or eight per cent more than Great Britain, the next largest consumer. It imports more silk, rubber, manila hemp, sisal hemp, hides and skins than any other country.

When we turn to the foreign trade we find that as yet the United States ranks below Great Britain and Germany in imports and below Great Britain in exports, according to the annual statistics. The rate of increase of the exports of the United States, however, is such that if continued it will soon surpass even Great Britain. This will be brought out more clearly in the following table, in which the average annual value of imports and exports for the decades mentioned are given:

Decade.	AVERAGE ANNUAL IMPORTS FOR HOME CONSUMPTION.			AVERAGE ANNUAL EXPORTS OF DOMESTIC PRODUCTS.		
	Great Britain.	Germany.	United States.	Great Britain.	Germany.	United States.
	Millions of Dollars.			Millions of Dollars.		
1880-1889.....	1,610	768	676	1,119	749	759
1898-1907.....	2,297	1,542	963	1,464	1,236	1,469
Increase	637	774	287	345	487	710
Per ct. of increase	42.6	100.7	42.4	30.8	64.8	93.5

In this table the value of ships has been omitted from Great Britain, because they were not included in the statistics of that country prior to 1898, when for the first time the exports from the United States exceeded those from Great Britain. The trade of Hawaii and Porto Rico with the United States is not included since they came into the possession of the United States, although it would be fair to do so.

From this table it will be seen that Germany has increased its imports more than Great Britain, not only in percentage but also in actual value, and that the percentage of increase of the United States is about the same as that of Great Britain. We have been told by the political economists that high tariffs would prevent an increase of imports, and yet we have here two high tariff countries increasing their imports in a greater ratio than the great free trade country, and when we take up exports the contrast is still greater, the increase in the exports from the United States being more than double in value that of Great Britain.

Since the enactment of the Dingley tariff in the United States, in 1897, the average annual excess of exports over imports has been 500 million dollars. In the nine months of 1909 this excess has fallen to sixty million dollars, and while it is probable that the later months will increase this excess, it will still be far below the average.

The exports from the United States are changing in character. In 1899, forty-four per cent of the exports consisted of food products. In the first seven months of 1909 these products only represented 24.6 per cent of the total. This has been made up by an increase in the exports of manufactured products, which in 1909 amounted to 47.2 per cent, or nearly one-half, the balance being made up of crude materials for use in manufacturing, of which raw cotton was the principal part.

As to the future of the United States we cannot do better than quote the following from "The Statist." In speaking of the United States it says, "With this rapidly increasing population, this great accumulation of wealth, and the still vaster expansion of production, no doubt whatever can be entertained of the continued prosperity of the American people and of American industries. Only after there is no fresh land to put under cultivation, no new mines to open up, no additional oil-wells to tap, no new supplies of lumber to be cut, no further economies of transportation to be made, can there be even a diminution in the rate of expansion . . . all the signs and conditions are favorable to the continuance of this rate of expansion for the next ten years, the depression of trade resulting from the recent crisis is passed, already the volume of production and of trade is approaching the high-water mark of 1907, and in the next twelve months new records will be established by producers and manufacturers, by traders, by railways, by bankers, and by all others that will participate in the work of creating and distributing the unprecedented quantity of wealth that will be produced, consumed and accumulated."

The improvement in the condition of trade in the United States is already having its influence on other countries. The increase of 246 million dollars in imports has improved conditions of European and Asiatic countries, from which the bulk of these products has been obtained. The good harvests in Russia and other countries and the improved conditions in India, as a result of a

favorable monsoon, have increased the purchasing power of those countries.

One of the drawbacks to a rapid increase of the world's trade is the present high price of many of the products entering into it. This is no doubt due partly to the enormous increase in the production of gold, which is the measure of values under the present system of currency. The decreasing value of silver also acts as a drawback, because in China and other silver countries the ability to purchase where payment must be made in gold is very much decreased.

In the value of international trade the pendulum has started upward. The world has again entered an era of prosperity after a much shorter duration of financial depression than usual. We can all join heartily in the wish that nothing shall occur to mar the present bright prospects.

CONDITIONS IN STOVE MANUFACTURING

BY WILLIAM J. MYERS,
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For a better discussion and understanding of present business conditions in this industry, some reference for the purpose of comparison should be made to the recent past when business in nearly all lines was on a high plane of prosperity.

When the financial panic swept over this country in October, 1907, the stove manufacturers had hardly completed the delivery to the retail trade of the stoves which had been ordered for the early fall demand. Such orders under the stimulus of the prosperity of the three or four preceding years, which seemed likely of continuance, had been liberally made, and manufacturers realized the largest output for any October in the history of the industry. The belief so general at first that the panic was but an unpleasant financial gust soon to pass over, with only a few blow-downs chiefly among stock speculators and so-called frenzied financiers, was shared by the stove interests, and hence manufacturers did not suffer countermands of orders as would have been the case had the crash precipitated itself two months earlier. They did suffer in the month of December, when business fell off alarmingly, but the year remained a record one for large sales. The full force of the business depression, however, was felt in 1908, and was early indicated when salesmen were sent out for new business.

The element of weather is one that plays an important part in the stove business and often operates to offset general business depression. Two-thirds of the annual business in stoves is transacted by manufacturers and wholesalers in the last four months of the calendar year, and with good, crisp fall weather and a cold winter, stove manufacturers and the dealers as well, except from delayed payments and losses from bad debts, do not feel the full force of bad times. In the fall of 1908, however, Jack Frost did not come to the rescue of those interested in the stove business, and they felt the depression equally with those in many other lines.

Stove manufacturers for the most part are broad-minded men and harbor few jealousies. A high degree of harmony and a wide spirit of co-operation exist among them. Many are members of the National Association of Stove Manufacturers, with its principal office located in Chicago, and nearly every devotee of the industry is a member of one or more of the nine constituent associations, covering the various districts into which the United States is divided. There is no such thing as a trust, holding company or consolidation of interests in the stove industry, but the manufacturers are well organized for their mutual welfare and the correction of abuses that often creep in and tend toward the destruction of a great industry, preventing the concentration of the mind upon ideas for its betterment, which in this branch means the creation of more artistic designs, new serviceable attachments, increased cooking conveniences and the development of improved methods in foundry practice. It cannot be said, however, that great advancement has been made in the application of machinery in stove production, the molding machine having so far been developed for but limited use and economy.

It is due to the splendid organization of the stove manufacturers that but few failures were recorded among them during 1908, notwithstanding that the business fell off in some sections thirty-five per cent, with an average decline in all of fully twenty-five per cent. The stove industry is one that employs capital to the extent of about \$60,000,000, with an annual output of about the same amount, hence requiring one dollar of capital for every dollar of sales. This is due to the necessity of manufacturing and carrying for months numbers of stoves to meet the demand in fall and winter, which often becomes extra large and urgent, and to the further fact that a very large percentage of the cost of stoves to manufacturers is the wages of workmen which are generally paid weekly.

Upwards of fifteen thousand hands are employed in the stove shops and factories in the United States, and over three million pieces of goods are distributed annually. Without organization and perfect machinery for the gathering and dissemination of information as to the effects of the general business depression upon the demand for stoves in all sections, ignorance of the facts and fear would have prompted price cutting and reprisals with

complete demoralization as the result. The trade suffered loss of profits through reduced sales and continued high cost of distribution, but was spared the inroad of its capital by added losses through slaughter of prices.

Coincidentally with the falling off in domestic sales was the decline in the foreign demand. Almost as soon and almost in the same ratio the demand for stoves from foreign countries declined. The export of stoves does not make a large item of our foreign commerce, owing to the fact that it is almost entirely confined to types designed for cooking. Comparatively few American heating stoves are shipped abroad, and those that are shipped go mainly to China, Japan, Chile and Argentina; Germany and France supplying the larger European demand. While heating stoves form a large part of the product of American stove foundries, the world's markets are little open to them. Our export possibilities are confined to cooking stoves, the use of which is limited in many of the warm countries which are good customers for other lines of American manufacture.

It was stated during the recent panic that the United States had become so large a factor in the world's commerce, and New York City so much of a financial center, that the effects of our panic were felt around the world. It may be due to this fact that the reduction of the export demand in 1908 kept such regular step with the domestic decline, but it was certainly due in many cases to special causes in the countries themselves. For instance, we could not have been responsible for the depression in South Africa, which had continued for nearly four years and reached its climax in 1908, and was due to the natural reaction of overspeculation after the Boer war, and the vast quantities of canned provisions and war supplies sold there by the British government at its close.

Orders from China had not been liberal since the boycott placed on American goods; the Japanese were not overanxious to buy American stoves while the excitement continued over the California incident; Chile was having a controversy with Peru; and Cuba was under the military control of the United States and her people were full of jealousy and more or less of hatred for us. For two or three years prior to 1908 the demand from some of these countries had been reduced, but was not felt in the midst of our phenomenal home prosperity. It was unfortunate, however, that untoward cir-

cumstances continued during the year of our business decline. In Mexico, where merchants and business men had been enjoying a season of prosperity second only to that enjoyed here, the American panic did cause much distress, and much capital of Americans held in banks in Mexico for investment or for use in enterprises there was hurriedly withdrawn to cover sudden obligations in the states. Australia and New Zealand, for thirty-five years a profitable field for American stoves, have been almost entirely yielded up to Great Britain on account of low prices impossible for American manufacturers to compete against.

The export demand for stoves is often a fluctuating one and increases but slightly even when normal conditions prevail, for, in proportion as the demand increases in certain parts of the world, competition grows or local makes supply part of the additional demand. In several places in South America local-made wrought-iron or sheet-steel cooking stoves are sold in considerable numbers, while German and French competition is extremely keen, and more favorable terms are offered than American manufacturers seem willing to make. Since the Japanese-Russian war, factories have been established in Japan and American stoves imitated. The same is likewise true of New Zealand, where local foundries have been established within the last few years.

Notwithstanding all this, it can be said that the export revival as shown this year is greater than the domestic. With the opening of the year the demand from South Africa was distinctly an improvement over what it was for four years previous, and has thus far been maintained throughout the year. It would seem that they have passed through their period of reconstruction and, with good crops, have returned to prosperous conditions. But little recovery is realized in the Mexican demand. Capital has not been replaced, and floods, earthquakes and insurrections have further hindered the return of prosperous conditions. Some increase in demand is noted from Argentina, owing partly to the steady advancement being made in that country, the increase of population and the influence of the forthcoming transportation exposition to be held next year. But the demand would be greater in all South American countries if our people had followed up the advantage opened to them by the passage of the United States fleet around the continent and ex-Secretary Root's visit.

The direct effect of the tariff on the stove industry is almost a negligible quantity. The indirect effects are considerable, because whatever affects adversely the production of other American manufacturers and shortens factory operations reduces the purchasing power of the wage earners, and the stove is about the first among the articles of household utility that in bad times the workman aims to repair instead of appropriating money for a new one. Foreign made stoves, however, cannot obtain a foothold in this country in competition with our own goods. They are heavier, clumsier, unsuited to our needs, and with all packing, shipping and commission charges added to the initial cost, their price would be too high.

It is not a fact that underselling us secures to our foreign competitors an advantage in the disputed fields of Central and South America so much as the willingness of the Europeans and British to make long terms and bestow more attention upon the packing requirements. In nearly all countries south of us the American stoves are preferred for their lightness of weight, style and many conveniences, but much complaint is heard of the inattention of American manufacturers to detail and of their unwillingness to extend credits. We are no doubt largely to blame that our exports amount to only about two per cent of the total value of our output of stoves, amounting in 1908 to only a little over one million dollars.

While not directly affected by the tariff, stove manufacturers, realized how seriously tariff discussion interrupts general business, and their national association sent delegates to the National Tariff Commission Convention in Indianapolis in February last, and aided the movement to petition Congress for the appointment of a commission of experts and business men of probity to gather tariff facts for the use of Congress and the Executive, so that in future an intelligent and scientific tariff might be constructed.

Save in an industrial panic such as overspread this country in 1893, when the harmful effects endure longer and business men weary in waiting for the tide to turn, it is seldom that the stove trade experiences two poor fall seasons in succession; and the indications are that the approaching season will not be an exception to that rule. The demand this year, despite the tariff agitation, has increased. For the first eight months of 1908 sales fell off twenty per cent on the average, while for the same period this year they

have increased twenty per cent. This by no means signifies a full recovery of 1907 volume, as the increase is based on a much smaller total than the decline, but it has been steady and carries hope and confidence of continuance.

The autumn demand is expected to be very satisfactory from the fact above stated that two bad seasons in this line rarely come together. The expectation seems especially founded this year, when improvement in so many other lines is noted. Increased stove sales should be made if the earning power of the people has been and is being increased over last year, because many old stoves that were patched to last out the winter of a year ago must go to the junkman this fall. The natural increase in population, moreover, and return of many of the emigrants who left our shores in 1907 and 1908 will furnish a good extra demand. The increase this year would need to be nearly thirty-three and one-third per cent to equal stove sales in 1907, and this is too much to expect so soon. The volume will hardly equal that of 1906, but will probably run close to that of 1905, a very good year in the stove trade.

The people's savings were much larger when the reverse came in 1907 than they were at the previous panic and they did not run so heavily in debt during the period of idleness. Aside from the reduced purchasing power of wage earners, the business horizon is almost clear of obstacles to the spending of money for all the ordinary wants of the people, and the more liberal purchasing of luxuries by those in more comfortable circumstances. The business skies are clear, the air is not foggy with complex economic or political problems to clog the mind, check ambition or block enterprise; the tariff is settled, building is improved, crops are abundant, even though not of bumper proportions; there exist no serious international controversies; no presidential election stares us in the face for three years to come. The people have confidence in the good judgment and fair-mindedness of President Taft; there are no alarming labor troubles to disturb the country; stocks remain high, reflecting good times, and unless the weather proves very unpropitious for stove traffic, stove manufacturers will have reason to feel satisfied with the year's business. It ought certainly to be a twenty per cent increase over that of 1908, with every prospect, barring the intervention of war, pestilence or great convulsions of nature, of greater improvement in the year to come.

THE STOVE TRADE

BY JAMES W. VAN CLEAVE,

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The annual value of the stove manufacture in the United States for all cooking and heating apparatus is in round figures about \$100,000,000. Some one has said that there is no business in this country so much like the coffin business as the stove trade, inasmuch as no one ever buys a stove for cooking or heating purposes until dire necessity forces the issue, and no one ever buys two because they are cheap. Accepting these statements as facts, and following the conclusion in its last analysis, we find that the stove trade is the very last to recover from trade dislocations of all kinds.

We find the farmer must replenish his farm implements; that the children of the homes must have their winter shoes and their Sunday-school hats; and at last, that the drudge of the family, the mother, is given some consideration and the kitchen is fitted with a new stove. The stove trade has not experienced any recovery from the recent depression, and is not likely to enjoy a normal business until at least the beginning of the coming year, and not then, unless all trade conditions have reached the normal and have climbed to the maximum trade volume of 1906.

The stove manufacturer, however, enjoyed with American industries generally a prosperous period of nearly ten years, with the result that no serious injury, except failure to accumulate additional money, has resulted from the late panic and business disturbance. There have been no notable failures in the stove trade. The stove manufacturer in general is able to pay his bills promptly, and is to all intents and purposes in a good financial condition. The American stove trade is almost exclusively in home markets; that is to say, less than five per cent of the \$100,000,000 of volume is distributed to other nations. The competition of stove manufacturers is at home and among themselves. In no other nation of the globe can be found so many comforts in the homes of the common

people as are found in the homes of our people. Facilities for good cooking and heating, the two most important of all the home comforts, are easily obtained and are regarded as necessities of the American household. American stoves and ranges are found in the homes of the pioneers in the very uttermost parts of territory now owned by the United States, except the Philippines, as well as in the homes of New York's "four hundred."

Wonderful progress has been made during the last ten to twenty years in the manufacture and construction of cooking and heating apparatus for the home. This is more pronounced in the more populated districts, cities and industrial centers, where natural and manufactured gas has been made a common fuel. The use of gas as a fuel in these districts is becoming almost universal, notwithstanding the fact that experiments have been made for years with electrical devices for use in the home kitchen. As modern constructions are brought into use and presented for the consideration of the American people, they are quickly adopted wherever fuel and other conditions make it possible to do so. In this way the American stove manufacturer still has a most profitable market for his products at home, and is not interested to any great extent in foreign trade, or international trade conditions, and is not likely to be for many years to come, except in spots here and there.

The only effect that the recent tariff legislation had, or possibly could have, upon the stove trade, is the collateral effect of trade dislocations, trade depressions, the stoppage of manufacture and non-employment of the American workman. In this way a widespread general depression was brought about, and it directly affected the trade of the stove manufacturer as has already been shown. So serious was this result that the average loss in volume in 1908 as compared with 1906 was a fraction more than 50 per cent. The recovery in 1909 will be slight, so that the effect of the panic and trade conditions, growing out of the tariff discussion and tariff legislation and general trade depression, was to practically demolish temporarily the stove trade, and the date of its recovery is fixed after general business has reached normal conditions.

But while I am very conservative in my estimate of the time required for business revival, I am thoroughly optimistic as to the outlook for the future. Everywhere in this broad land, from Alaska to Florida and from Maine to the Mexican line, can be seen evidence

of marvelous prosperity. Everywhere we find improvement, progress and success. Everywhere we find opportunity opening to our people who are making homes for themselves in the uttermost parts of our land. Everywhere we find marvelous and wonderful opportunity offered to American enterprise, and on all sides we find the guiding hand of the Almighty God seeming to favor our people. There was no natural reason for the recent panic. It was brought about primarily by designing promoters, and principally by the great army of calamity howlers, who are ever ready to destroy and never to upbuild. Even now our people have plenty, comparatively speaking. Our farmers, the great backbone of our country, are prosperous. True, employment in the industrial communities has not been as plentiful within the past eighteen months as it was during the decade just prior to the beginning of the panic in 1907, but the impression is created everywhere in the mind of any observant man that all nature seems ready to burst out in an overwhelming demand for the products of the American manufacturer and in turn for the produce of the American farmer.

Therefore, the general outlook for the immediate future is all that the most skeptical mind could wish for. It seems we are to-day on the very threshold of a period of prosperity and trade volume such as this country has never known before. It is believed by even the most conservative that the next two, three or four years will mark a period of trade prosperity and general uplifting conditions such as has never been experienced by any nation in the world before, and it is to be hoped that these Utopian promises will not be marred by a short-sighted policy of the work people, and that on the contrary they will go on making all the money they can, giving to their wives and children their heritage, a real American home.

The panic may have been a blessing in disguise to all of us, warning us not to become extravagant, arbitrary or careless. New duties confront us as we are changing from an agricultural country into an industrial one. Competition with old, established industrial nations for the world's markets compels us to follow their example and pay special attention to the industrial training of our youth. It is to be hoped that the public schools of the nation will take up seriously the matter of industrial training in primary grades, along the lines that are now in vogue in Germany, for in this way we can make of our working population a nation of independent, qualified

American workmen, and raise still higher the standard of American industries.

Aside from the unrest and dissatisfaction among a limited number of our work people, brought about by the false teachings, sophistries and criminality of part of the leadership of trade unionism, there does not seem to be a fleck on the commercial horizon.

DIFFICULTIES AND NEEDS OF THE PAPER AND PULP INDUSTRY

BY ARTHUR C. HASTINGS,
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The past year has seen less activity in business due to a light demand in every grade of paper. Returns on capital were not satisfactory, and labor was not steadily employed. This condition of the paper manufacturing industry, however, was no different from that in all the large manufacturing plants of the country, and reports from abroad indicate that these conditions have prevailed there, particularly in this industry.

The paper industry is probably more sensitive to conditions than many others, mainly because advertising falling off or increasing suddenly, causes less or more paper consumption, with little notice to the manufacturer, who does not know general conditions as quickly as does the advertiser. While the daily newspapers and magazines probably printed as many copies of their issues as formerly, they curtailed the amount of paper used, by printing less pages or reducing the number of columns per page. This in the aggregate amounts to a saving of many hundred tons.

In addition to this smaller demand, the jobbers in every city have reduced their stocks of all grades of paper to the lowest point possible, thus causing thousands of tons, usually held to properly conduct their business, to be put on the market. The result is a decreased demand and practically an increased production. As usual under these conditions, prices were low and competition extraordinarily keen. Mills have run on part time and in general have reported business as unsatisfactory. Since August first, however, the demand is increasing and a much better tone is apparent in the paper market in general.

The recent tariff legislation had a very disquieting effect on the paper business as it had on every other. No one would buy for more than his immediate wants and very few contracts for a supply were made until the tariff was fixed. The demands of the publishers were selfish and without regard for the rights of manu-

facturers, who were being taxed on their supply of raw material and who must pay wages sufficiently high to enable their workmen to live as they are accustomed. The manufacturers demanded that all duty should be removed from the finished product. This was a most unfair position, and the inherent desire of Americans for fair play induced Congress to pass a tariff which, while lower than facts warrant according to "comparative cost at home and abroad," will, I believe, serve to protect the American manufacturer against ruinous foreign competition.

The removal of all duty from paper and pulp in the lower grades would, in a very few years, put the mills of the United States out of existence. The world's supply and demand interests each country. To-day there is an overproduction in certain grades of pulp and paper in some European countries, and with no protection the American market would be flooded with paper at perhaps a loss to the manufacturer, and at a price that would shut down fifty per cent of our plants. When normal business conditions prevailed in these countries the export would stop, but in the meantime our mills would be in no condition to resume.

Any investor in a manufacturing plant is entitled to a fair profit on his investment, and more than a mere interest charge. The business is hazardous and constantly changing through improvements in machinery and replacements, and maintenance expenses in the paper manufacturing business are greater than in almost any other manufacturing industry. Water power conditions, moreover, are uncertain and make it impossible to foretell the cost of manufacture a year ahead. Yet competition has apparently made it necessary for mills to sell their product at a very small estimated profit under most favorable conditions. This, under abnormal conditions, means a loss, as with but few exceptions and for short periods, the prices of all grades of paper have, in the past twenty-five years, been steadily decreasing, in spite of the enormous increase in consumption. In every grade of paper the industry has more than kept pace with demand. The use of all grades of paper in the United States is greater per capita than in any other country of the world, and we produce, in the lower grades, nearly fifty per cent of the world's consumption. This fact alone shows the progress of the industry. The protection afforded by the government has been an important factor.

I believe the manufacture of so-called wood paper in the United States will not increase very much in the future. Certain more favorably situated mills may increase their capacity somewhat, but others less fortunately situated will cease making the lower grades or will dispose of their water powers for other purposes. The vicious attacks made on the paper manufacturers by their customers, who have grown prosperous, partly at their expense, does not stimulate new ventures by capital and in the end may cause higher prices due to lack of production.

This condition of trade does not indicate that we will ever become a factor in the export business even with a general revival abroad. The home demand will increase, and has already shown a fair increase as compared with other staple articles. With conditions nearly as satisfactory as 1907, the increase of about five million population, must alone increase the consumption of all food stuffs and manufactured articles. On the whole the outlook for the future of the paper industry in this country is healthy. While, I believe, there will be little or no additional growth of the manufacture in the lower grades, and that we will not export this quality, this argument does not apply to the finer grades of book and writing papers. These grades are made by many mills, each one having a special brand or use, and the prices are made on quality, quantity, manner of packing, etc. The consumption is more uniform and the prices more steady. They are used in smaller quantities, so that the prices are not as much a factor as quality or reputation. There is no reason why the American manufacturer with his ability and taste cannot export these higher grades in competition with many other countries.

The paper manufacturing industry as a whole is one of the important ones of the United States. It has a capital investment of some \$350,000,000, an annual product \$250,000,000 in value, representing an annual output of over 4,000,000 tons of paper in different grades, and employing over 100,000 people directly in the business. Since the census of 1880, or within thirty years, there has been an increase of \$300,000,000 in investment, \$200,000,000 in annual output, and 75,000 in the number employed in the industry.

On one of the principal grades of paper, during this period, the price has been reduced from \$140 to \$40 a ton. No one can claim, therefore, that the manufacturer has not invested his money

freely to build up the industry, that he has not taken care of the growing demand, or that he has gotten an unreasonable price for his product. It takes longer for capital to be turned over in this manufacturing business than in almost any other large industry.

I have endeavored in a brief and simple way to refute many statements which were no doubt published with the idea of influencing Congress in tariff arguments and to affect the value of our product. I desire to impress the public with the belief that this is a legitimate manufacturing industry, subject to conditions of trade the same as any other industry. The men engaged in it are reputable business men and in good standing in the communities in which they reside, having in many instances their "all" invested in it. The cry of the intermediate consumer, not the ultimate, is from a desire to buy his supply cheaper than it can be made, and in order to get this result on twenty-five per cent of the annual product of the paper mills he proposes to put all manufactures of all kinds of paper in one class. No thinking man believes that a reduction in the price of newspaper, or cheaper grades of book paper, for instance, would reduce the cost of a single copy of a publication to the purchaser; and yet it has been claimed that a duty of about ten per cent on printing paper is a "tax on intelligence."

The interests of the consumer and producer are alike, and we have no objection to their profits. We do, however, object to misstatements made with a view of ruining our investments. The average man believes the pulp mills of this country are devastating the forests, not because he knows anything about it, but because it has been brought to his attention by publishers in the shape of articles and cartoons. The facts are, that less than two per cent of the annual drain of American forests goes into paper and pulp. Railroad ties consume more timber and mine supports nearly as much. The two together consume twice as much as goes into paper in its different forms, but the public does not read that they are such destroyers of natural resources. These facts are taken from government reports and are therefore authoritative. The "golden rule," although not used as much as formerly, is still a good measure.

PROSPECTS OF THE MEAT PACKING INDUSTRY

BY MICHAEL RYAN,

President, American Meat Packers' Association, Cincinnati, O.

Within twenty years the meat packing industry in this country has grown to extraordinary proportions. The entire meat output of the United States may be safely computed at \$1,200,000,000, and five or ten of the largest houses report their annual sales at about \$700,000,000. However, a great many food articles other than meat enter into these sales, and reduce the meat sales proper to about \$550,000,000, or not quite one-half the total business of all the packers for one year. The transactions of the five large corporations are immense; yet it will be seen that they do not control the meat industry. It is too much scattered, localized and diversified for any one combination to control, and it is best for the packers, large and small, and the general public, that it should be as it is.

The panic which came in October and continued to November, 1907, did not in the beginning affect the meat business disastrously. On the contrary, for at least six months, it was rather a blessing in disguise. Coming as it did at the commencement of the packing season, when the large droves of stock prepared and fed for market usually begin to pour in, with money tied up in banks and withdrawn from circulation, live stock dropped at least twenty per cent in price as compared with what it would have been if normal conditions had prevailed. Consequently, for the whole winter season, packers, who could raise the money, realized substantial profits on the raw material laid in at low prices. Nor did the demand for meat slack off by reason of the stagnation and general depression in business. The lower prices invited consumption, and, notwithstanding the increased packing, stocks of provisions did not accumulate so as to be burdensome. All went well with the packers until about the first of July, 1908, when live hogs again began to advance to a much higher level of values. The great prolonged drought of last year seriously endangered the corn crop and consequently the fall months saw vast droves of immature live stock

rushed into the markets, and as the packers thought they foresaw a great scarcity in the later winter and early spring months, they all brought high prices. In this they erred, for the hogs continued to arrive in larger number than expected, and as a result, in the spring of the present year, the meat cellars were well filled with high-priced hog products.

The effects of the drought on live stock were not felt until May and June, when the greater part of the winter packing had been marketed without profit to the packers. The last two months—July and August—have witnessed higher prices for hogs than at any time but once for the last twenty years (\$8.45 for live hogs). On the whole, the packing season for the year now closed, October 1, 1909, has been very unprofitable to pork packers in this country.

Owing to the exceedingly high price for hides and fat products, beef packing shows somewhat better results, but the margin of profit in this branch of the packing industry has been light. Our foreign exports of provisions have fallen off very materially in the past year. Up to ten years ago packers depended upon the foreign trade to take the surplus, but with the increased consumption at home and the consequent higher prices, Europe has not been so liberal a buyer of our provisions. Great Britain is the only buyer of any magnitude. Exports of meat and dairy products were valued as follows for the past nine years:

1901	\$196,959,637	1906	\$190,766,669
1902	199,861,378	1907	180,342,341
1903	179,027,586	1908	170,498,626
1904	176,027,586	1909	146,280,220
1905	169,999,685		

On this the "National Provisioner," a journal devoted to the packing interests, thus comments:

The showing for the past year is one not calculated to encourage our exporters and the trade as a whole. Conditions existing abroad for the past two years which have decreased Europe's buying powers, have undoubtedly affected the volume of this trade. The same thing was felt in the United States for a shorter period following the financial disturbance of 1907, but Europe has taken longer to recover. There are present signs of recuperation, but they do not in the case of most of our products afford us any encouragement.

As long as foreign governments can discriminate against our meat products as Germany and France do now, so long will there be no chance

for improvement. More than that, our trade with these countries is rapidly being wiped out, and when this is accomplished it will take more than amended tariffs and commercial treaties to get it back again. The tariff bill now pending in Congress offers us hope of relief in this direction through the maximum and minimum provisions it contains, giving the President the power to retaliate against those countries which do not give our products fair treatment.

We have heard a great deal of late about the "unwise" and "infamous" character of this policy of retaliation as contrasted with a policy of "conciliation." After a study of the figures quoted here and of the conditions which have confronted our export trade in some countries, the only policy of "conciliation" which would seem to be at all reasonable or effective is this "conciliation with a club" which is contained in the new tariff law. Our friends, the importers of foreign commodities, do not like it, of course. That is natural, and it is from them and their organs that the opposition to it arises.

There is every prospect that this feature of the tariff bill will become law, and that under the wise, far-seeing administration of Mr. Taft it may be effective in giving our industry the foreign outlet for its surplus products which it needs and to which it is entitled.

The writer of the above is somewhat blunt in his description of the situation, but what he states is a fact which we must face sooner or later. The foreigners who find a market here for their wares and shut their doors against the products of our soil should be made to taste of their own medicine.

Reciprocity, the principle of "give and take," is not only beneficial to individuals, but to nations as well. It is noticeable also that the prejudice against American products is so strong among the most prominent of the continental nations of Europe that no opportunity is permitted to pass wherein a drive can be made at American meat or live stock. The recent canned meat scandal was used as a powerful weapon against the meat packers. So much so, that the canning industry was practically annihilated for two years; nor has it risen to its normal condition as yet.

It would astound many to know the tremendous losses sustained by the unlucky holders of canned meats upon the breaking out of the so-called scandal. The trade was paralyzed in this country and Great Britain, and coming as it did at a time when dealers had laid in full supplies of the article and borrowed heavily from banks to carry the goods for which there was no market, the strain was most oppressive. The indiscreet and violent manner in which those in authority sought to correct an alleged evil in the manufacture of

an important product in general use, and held up our large packing houses to public reprobation, was taken hold of by the sensational press. The American packers were brought to shame before the whole world, and competitors in other countries, taking advantage of all this, used it against us in a most effective manner.

The bumper crop of corn which is assured this year means much cheaper meat for the people. Statisticians estimate the production at three billions, which is the largest on record. However, it must be borne in mind that corn is so universally used as food for man and beast at present, and for manufacturing purposes also, that the price will be well maintained. When corn can be had at fifty cents per bushel at the seaboard, exporters will become buyers for it and they will not permit a large surplus to accumulate. It is estimated that eighty per cent of the corn crop is used by the farmers themselves in the fattening of stock, as this is generally more profitable than selling the grain. Other crops give promise of a generous yield, and we may reasonably expect a revival in all lines of business this fall.

The best evidence of good times for some time to come lies in the fact that the agriculturists are better off now than they ever have been in this country. Abundant crops for the past ten years, coupled with a continuous and steadily increasing demand for all farm products at unusually profitable prices, have brought heavy gains to the coffers of the farmers. There is no surer means of livelihood offered in this country than farming. I have before me an editorial from the Cincinnati "Enquirer" which is to the point. The writer says:

In professional life it is well known that but few grow rich and the many barely earn a living, even in the prosperous United States. In Great Britain it is said statistics show that but fifteen per cent of professional men have living incomes. In industrial pursuits the eras of prosperity and those of depression succeed each other so rapidly that it is most difficult for the owner or operative to save enough from the years of activity to sustain and carry through the years of dullness or enforced idleness. Statisticians a score of years ago placed the final failures in mercantile affairs at ninety-five per cent of those who engaged in traffic, and while the percentage of recent years has no doubt been reduced very much below those figures, yet it is well known that two fail where one succeeds in merchandising.

It is in the tilling of the earth that lies the safest and most certain return to man for his labor. The advance in the agricultural development during the past thirty years, in combination with advanced prices for

products, vastly greater and better transportation facilities for reaching markets and the creation of new markets and constant growth in demand in every part of the world, have tremendously increased the possibilities, probabilities and certainties of amassing fortunes through agriculture.

Every county in every state in the entire Union needs tillers of the land and every city, village and hamlet would have greater comfort and larger volume of prosperity if millions of farmers were added to our population. No class of all the classes of workers in our nation has made the profits and saved such a large percentage of its earnings during the last twelve years as has the farmer class. This year, while the banner year for those who till the land, is but one of a long series in which the profits have come to them from their work.

The prosperity that has attended farming has been confined to no section of the Union. It has been abiding in the East, the North, the South and the West, and from each and all of those regions to-day come invitations to millions of other men to join with those who already are enjoying the rewards of their foresight and labor. The opportunities to secure independence, comfort and profit upon the lands of the United States were never so numerous or so available as they are to-day. The very best possible results to our government and our people would be obtained through a great increase in the number of those who derive their income through the products of the soil.

The writer of the foregoing is absolutely correct. The tremendous growth of our cities of late years does not make for national virility. The precarious means of existence which the busy marts of commerce afford is not to be compared with life in the country, and the wonder is why the millions who flock to these shores from the overpopulated countries of Europe instead of crowding into the cities do not take advantage of the vast domain whose fertile soil and diversified climate, with ready markets for what the earth produces, make an absolute certainty of comfortable and independent living. The tendency now, however, is to urban life, not only here but in Europe, and it seems as if the tide cannot be arrested until it has spent its force. While the necessities of life through our continuous growth in population may not cheapen materially even with the abundant crops assured this year, still there will be enough for all and considerable left after our wants are supplied to sell to our less favored brethren in other countries.

We have one thing to be thankful for—when the people of this country elected Mr. Taft to the presidency, they builded wiser than they knew. After the strain and the excitement of the previous administration and the lack of confidence caused by the panic, an

era of quiet and rest in order to recuperate our wasted energies and settle our over-wrought nerves became absolutely necessary. The great good sense, discretion and tact injected into governmental affairs by Mr. Taft have wrought a wonderful change for the better, and it now looks, with abundant crops and the new stimulus, life and activity apparent on every side, as if we are about to enter on a long period of unprecedented prosperity.

REVIVAL OF THE TRADE IN WOOLENS

BY WILLIAM WHITMAN,

President, National Association of Wool Manufacturers, Boston, Mass.

In common with the other productive interests of America, the wool and woolen industry paid the price of the severe financial depression which set in suddenly in the autumn of 1907. This depression which spread over the entire nation soon made itself felt in a decreased demand for woolen fabrics, due to the general disturbance of business confidence. The inevitable result was that some woolen mills became idle and many more were working on reduced time, and the reflex was felt far away from the older manufacturing states on the farms of the Middle West and the ranches and ranges of the Far West and the Rocky Mountains. Manufacturers of the East, having no market for their fabrics, could not buy and utilize the Western wool, and the indivisibility of the industry received one more vivid and compelling demonstration.

The wools in common use fell off sharply in price, in sympathy with the falling demand for all kinds of woolen cloth and clothing. Of course, the dismay and suffering of the free wool period of 1894-1897 among the farmers and wool growers of the great agricultural and grazing states were not paralleled, but the conditions were the severest that had confronted the wool growers as well as the manufacturers since the system of adequate protection, so vital to the wool and woolen interests, was re-established in 1897 in the enactment of the Dingley law.

Following the year of the financial panic came, in 1908, the always nervous year of a general Presidential election, with the accompanying clamor for immediate tariff revision. Peculiarly susceptible to foreign competition, the wool and woolen industry felt this double stress more keenly than many other interests, and though conditions in the industry gradually improved in the spring and summer of 1908, the industry had not attained a normal or satisfactory volume of business.

Prosperity Under the New Tariff

Now, however, wool growing and wool manufacturing have attained and held for some time a reasonably strong, buoyant prosperity. This did not wait for the final settlement of the tariff question by Congress and the actual enactment of the new Aldrich-Payne law. Improvement began to be marked and rapid early in the latter half of 1908, as soon as it had become manifest that the political forces pledged to a maintenance of the protective principle were practically sure to win the Presidential election in November. There was no perceptible halt or decline in this prosperity when tariff revision became inevitable in the announcement of Chairman Payne, of the Committee on Ways and Means, immediately after the election, that his committee would begin at once to hold a series of hearings for the great producing interests of the country, with a view to the preparation of the first draft of a new tariff law.

The wool and woolen industry of this country had not asked for a tariff revision. It had not advocated a reduction of the rates of duty protecting other industries, and it felt that it could not afford any material reduction in the duties covering its own. There was, moreover, no difference of opinion between the growers of wool and the manufacturers of wool as a whole as to the wisdom and justice of the maintenance of adequate protection on the materials of manufacture. Raw wool, though classified as a crude product, is nevertheless the finished product of the ranch, the range and the farm.

Both wool growers and wool manufacturers in the main believed that there was no serious danger to their interest in a revision of the tariff by the friends of the protective principle, but both well understood how complex a thing a tariff is and especially the wool and woolen schedule. Both were loth to exchange a legislative system which had worked with such unexampled smoothness and success for the upbuilding of their industry as had the Dingley law for a new law framed, doubtless, in good faith and with honest intent to maintain adequate protection, but which through human fallibility might nevertheless embody errors of construction or involve errors of interpretation from which the Dingley law had been singularly free.

It was the frank, dominant opinion of this industry, how-

ever it may have been with other industries, that the time had not come when another general revision of the tariff was necessary or advisable, and that the proposed action of Congress was distinctly premature. Yet the industry, as a whole, did not actively dispute the determination reached by the leaders of the National Administration that there should be a general revision of the tariff. Careful preparation was made by the National Association of Wool Manufacturers, co-operating, as always, with the National Wool Growers' Association, to present an exact and comprehensive statement of conditions in the industry and of the amount of tariff protection absolutely needed, to the members of the Committee on Ways and Means, who were holding their series of tariff hearings in Washington. This statement was delivered before the committee on December 2, 1908, shortly before the opening of the last session of the Sixtieth Congress. On behalf of the industry we asked for no increase in duty whatsoever. We did urge that substantially the existing rates of protection to the wool grower and to the manufacturer should be maintained unchanged, but that for the sake of better symmetry and accuracy there should be a reduction in the duty on that semi-manufactured article known as "tops." Subsequently this position was reaffirmed to the Senate Committee on Finance, and a great amount of supplementary argument and information was submitted.

The wool and woolen schedule of the new tariff, the Aldrich-Payne law, is highly satisfactory to our industry in general. The duty on "tops" was reformed and reduced exactly as we had recommended, and there were some real though not deep reductions in the duty on certain kinds of dress goods and worsted yarns. Otherwise, the wool and woolen schedule of the Dingley law was left intact in the new tariff, a fortunate circumstance considering the conscientious skill with which this difficult schedule had been constructed by Chairman Dingley and his associates in 1897.

When I say that the wool and woolen schedule of the Aldrich-Payne law is highly satisfactory to our industry in general, I am not unmindful of the fact that to create an absolutely perfect tariff law, every detail of which shall suit all diverse and conflicting interests and every fallible individual human judgment, is something that involves a superhuman wisdom. There are within our industry a few critics of the new tariff, but in numbers they

are very few indeed and in the proportion of the industry which they represent they are almost inconsiderable. Moreover, their criticism of the new tariff is unquestionably due to a serious misapprehension of the principles upon which it has been constructed. Never, probably, has a new tariff law approved itself so almost universally as this to the wool and woollen industry of America.

Since the Aldrich-Payne law took effect the purchases of wool by the American mills have reflected the buoyant confidence of manufacturers that we are entering now upon an era of genuine prosperity, and that, secure in adequate protection, the wool and woollen industry of this country will enjoy its rightful share of the national good fortune. Mills that were idle have been reopened, and mills that were on reduced time have gone on full time. There is no lack of business now for any manufacturer who knows the practical conditions of his trade and has kept pace with the march of modern requirements.

Alleged Price Increases

There have been some increases in the price of goods but these are not due to any tariff changes, for the only changes in the tariff, as has already been said, are downward. They, moreover, are increases in price as compared with the abnormal panic conditions of last year, and not with prices of the normal year preceding. They constitute merely a restoration to figures that should naturally prevail when trade conditions are reasonably good. There has been a notable strengthening in the demand for wool, and a very great enhancement in the prices paid to the producers as contrasted with the panic figures of a year or more ago. Of course, this inevitably compels an increase in the cost of goods, but it is the ancient and inexorable law of demand and supply and not any tariff change or any tariff increase that is responsible.

Fully two-thirds of the wools consumed in the manufacture of the clothing of the American people are grown on our own soil, and these clothing wools should be carefully distinguished from the cheaper and coarser carpet wools, almost all of which have to be imported. This statistical comparison of the imports of wools of both kinds into this country during the three fiscal years, 1907, 1908 and 1909, shows how firmly the wool and woollen industry

is recovering from the financial depression—indeed, how the industry began to recover, even before the new tariff law was enacted, as soon as it was clearly seen that it was to be fully protective in its character:

IMPORTS OF WOOL IN POUNDS			
Class I	1907	1908	1909
Clothing wools	82,982,116	45,798,303	142,583,993
Class II			
Clothing wools	10,671,378	13,332,540	21,952,259
Class III			
Carpet wools	110,194,051	66,849,681	101,876,052
	<hr/>	<hr/>	<hr/>
	203,847,545	125,980,524	266,400,304

There is every reason to believe that the total consumption of domestic and foreign wool in the American wool manufacture, carpets included, during the fiscal year 1909, will represent 600,000,000 pounds.

International Trade Conditions

In both clothing and carpets the American wool factories of to-day control the great bulk of the huge domestic market, the richest and best market in the world. But they do this only by incessant effort, for, especially in the higher grades of manufactured goods, they are constantly pressed by foreign competition. Contrary to a general belief, our imports of wool manufactures, especially of cloths and dress goods, are not decreasing but are increasing—this larger purchase of foreign goods representing a gain of about 70 per cent. in the decade between 1898 and 1907. It should be remembered that undervaluation has been flagrant in our imports of textile manufactures, and the foreign values with the duty added represent very much more accurately the actual amount of domestic manufactures displaced by these imported goods. The record of imports of manufactures of wool entered for consumption in the fiscal years from 1898 to 1907 is shown in the Table B.

On the other hand, our exports of wool manufactures are inconsiderable, amounting to only \$2,330,958 in 1907, and to

\$1,942,774 in 1908. These exports consist chiefly of ready-made wearing apparel sold in the nearby markets of Canada and Mexico. The high protective duty on the raw material, the superior wages and standards of comfort of our work-people, and the rather petty, provincial preference manifested in some quarters for foreign woolen goods regardless of their real quality, all combine to make the wool manufacture in America a difficult art, and to put out of the question all thought of developing a considerable export trade to other countries. Yet if American manufacturers of woolen goods can supply the needs of the great domestic market, the market of the most prosperous and exacting people in the world, there is sufficient here to guarantee to the industry a steady, wholesome growth and reasonable prosperity in all the years to come.

TABLE B.

Year.	Foreign values.	Duty-paid values.
1898	\$13,500,241	\$24,150,565
1899	13,978,852	27,249,433
1900	15,620,487	29,905,268
1901	14,729,450	28,178,756
1902	16,977,872	32,526,112
1903	19,302,007	36,866,701
1904	17,632,313	33,961,347
1905	18,021,042	34,568,634
1906	22,353,591	42,538,640
1907	22,357,206	42,349,232

Competition in the Woolen Industry

There are more people—many more people—in this country than in any other country who can afford to buy good woolen clothes. And the rigor of the climate over the greater part of our domain compels the wearing of woolen clothing of firm, honest quality. This demand is being successfully met by American manufacturers at the present time, and this is one of the greatest and most characteristic of American industries. It is unlike some other manufacturing industries in that the wool manufacture takes its material in the raw state from the farms and ranches, and by its own processes transforms this raw material into highly finished goods. The woolen factory, therefore, is far more than a mere place where many products already finished are assembled.

During the heat of the recent tariff debates in Congress a

great deal has been heard about the "woolen trust." There is no such thing in this industry as a trust or monopoly. It is not one of the interests that have come to be dominated by one gigantic corporation. There are more than a thousand separate wool manufacturing establishments in the United States. Some of them are large concerns, but the great majority are of small or moderate dimensions, and all are competing actively with each other in the purchase of wool and in the disposal of their finished products. This industry is now paying to its operatives wages more than 30 per cent higher than the ruling rates of ten or a dozen years ago. The workers in American woolen mills receive about twice the wages of those who perform similar labor in Great Britain, and very nearly three times the wages of those who are engaged in like employment in the textile mills of the continent of Europe. A careful compilation of the actual net earnings of representative woolen mills of New England shows that they are making an average profit of not far from 6 to 7 per cent—certainly not an inordinate return from an industry exposed to so many caprices of fashion and to the hazards of trade.

Outlook for the Future

In conclusion, I regard our new tariff law as sufficient to conserve the manufacture in the United States of all classes of woolen goods that are worn by the American people, and as sufficient for the proper development of the industry in its present status. Therefore, in regard to competition from Europe, the industry is certainly as well protected as ever before. It is to be borne in mind, however, that the wool and woolen industry is an interdependent one; that its prosperity and the prosperity of those who are engaged in it are involved in the general prosperity of the nation. The public men upon whom has rested the responsibility of framing the present tariff law have been governed by the underlying principle that what is good for the whole must be good for each part, and that all that can be expected for any one industry is its proportionate share of the prosperity of the whole. I believe that the new tariff is favorable not only to the wool and woolen industry but in general to all the other productive interests of the United States. Under these circumstances, if the American

people are prosperous, the wool and woolen industry, adequately protected as it is under the new law, will inevitably be prosperous also. But it would not be prosperous, however fortunate might be the peculiar legislative and other conditions surrounding it, if the new tariff legislation were not beneficial to the other great interests of the United States.

THE PROSPERITY OF THE BREWING INDUSTRY

BY HUGH F. FOX,

Secretary, United States Brewers Association, New York City.

While the condition of all trades is a matter of common concern, the beer business is specially interesting because it is such an infallible barometer of general industrial conditions. When capital and labor are employed in constructive development, when the building trades are active, railroads prosperous, factories running full time, and the coal and iron men receiving steady wages, the laborer regards beer as a necessity. But in hard times, after his savings are gone and poverty begins to pinch, beer becomes a luxury, which he has to deny himself. He does not, however, lose his taste by self-denial, and the beer-drinking habit is readily resumed as soon as he can afford it. There is a curious analogy to be drawn between the savings bank deposits and the beer sales, for they seem to go up and down together. In times of sudden panic, neither the savings banks nor the brewers are immediately affected, and it is not until the consequent industrial depression has become general, and the labor market slumps, that savings are withdrawn, and the sales of beer fall off. Thus the beer consumption for the year which ended June 30, 1893, actually showed an increase of 8.58 per cent over the previous year, but the sales for the year following showed a decrease of 3.68 per cent, and the sales for the year ended June 30, 1895, showed a decrease of three per cent, as compared with 1893.

The volume of the beer trade in the United States during the past decade is shown by the table on the next page.

The sales for the year which ended June 30, 1909, showed a decrease of 4.14 per cent, which may be accounted for, in part, by the spread of prohibition, although in the main it is believed to be due to industrial conditions. The detailed figures will not be known until the complete report of the Commissioner of Internal Revenue is published. The preliminary report, which was issued on July 27, only gives the gross total, and this shows a decrease

of 2,444,183 barrels. I have, however, obtained reports from several collection districts in the important manufacturing states, which furnish conclusive evidence that the decrease is largely due to industrial conditions. For instance, in the first Pennsylvania district, which takes in Philadelphia and vicinity, there was a decrease of a fraction over five per cent, and the figures for Western Pennsylvania will, it is believed, show a still larger decrease. This is particularly significant, as there is no dry territory in the State of Pennsylvania. Connecticut and Rhode Island show a decrease of 2.40 per cent. In Greater New York, which is certainly not dry territory, the decrease is also nearly five per cent, and the same conditions are reported from the district which includes Newark and Jersey City. It is believed that the tide has now turned, for the months of June, July, August and September, 1909, show a marked increase over the sales of the same months in 1908. The increase in August alone amounted to 480,685 barrels, which makes up for twenty per cent of the entire decrease of the previous fiscal year.

Year.	Beer sales (to June 30), in barrels of 31 gallons.	Percentage of increase or decrease, as compared with each previous year.
1898	37,493,306	.....
1899	36,581,114	2.43 per cent Decrease
1900	39,330,848	7.52 per cent Increase
1901	40,517,078	3.02 per cent Increase
1902	44,478,832	9.77 per cent Increase
1903	46,650,730	4.89 per cent Increase
1904	48,208,133	3.34 per cent Increase
1905	49,459,540	2.59 per cent Increase
1906	54,651,637	10.49 per cent Increase
1907	58,546,111	7.12 per cent Increase
1908	58,747,680	.34 per cent Increase
1909	56,303,496	4.14 per cent Decrease

The following table shows the beer sales by states for the fiscal year which ended June 30, 1908, with the increase and decrease as compared with 1907. The total production of 1908 was slightly larger than that of 1907, in spite of the decrease which took place in the business in dry territory. The table indicates the relatively small importance of the prohibition movement in the Southern States. The total of the sales for the entire territory south of Ohio was only 2,817,672 barrels, which is less than five per cent

SALES OF BEER IN 1908.

States and Territories.	1908	Increase as compared with 1907.	Decrease.
Alabama	89,566	.....	23,681
Arkansas	11,775	1,675	.....
California and Nevada	1,259,175	39,551	.....
Colorado and Wyoming	437,780	38,734	.....
Connecticut and Rhode Island	1,239,905	17,150	.....
Florida	14,968	.....	2,232
Georgia	118,370	.....	57,490
Illinois	5,535,167	111,887	.....
Indiana	1,365,420	.....	46,906
Iowa	411,455	.....	9,501
Kansas and Oklahoma	27,100	.....	14,885
Kentucky	738,381	.....	5,152
Louisiana	510,258	19,993	.....
Maryland, Delaware and District of Columbia	1,443,952	.....	9,830
Massachusetts	2,201,861	43,011	.....
Michigan	1,539,833	18,528	.....
Minnesota	1,337,976	99,044	.....
Missouri	3,841,337	.....	7,356
Montana, Idaho and Utah	464,042	41,082	.....
Nebraska and South Dakota	428,933	32,086	.....
New Hampshire	301,132	.....	22,231
New Jersey	3,178,958	40,560	.....
New Mexico and Arizona	27,197	.....	2,150
New York	12,962,152	.....	54,752
North Carolina	10	10	.....
Ohio	4,401,313	78,172	.....
Oregon, Washington and Territory of Alaska	1,068,023	6,302	.....
Pennsylvania	7,569,557	27,761	.....
South Carolina	4,090	1,089	.....
Tennessee	260,638	.....	30,257
Texas	546,917	.....	9,859
Virginia	192,774	.....	17,069
West Virginia	341,700	7,459	.....
Wisconsin	4,875,965	.....	109,174
Total barrels	58,747,680	624,094	422,525

of the total production, and this includes Kentucky, Louisiana, Texas and the Virginias, which are "wet" states The total production in Alabama, Georgia, the Carolinas and Tennessee, now under prohibition, in 1908, was only 471,000, and the Georgia

brewers are still doing business at the old stand. There is, however, a considerable quantity of beer shipped into the Southern States from Milwaukee, St. Louis and Cincinnati, and from other points on the border line. I do not know just what the total of these shipments is, but it is estimated at over a million barrels.

By the way, the Statistical Abstract of the United States for 1908, published recently by the Department of Commerce and Labor, is illuminating. It reveals that the per capita consumption of wheat flour, corn and corn meal, sugar and coffee decreased in 1908, as compared with 1907, much more largely than the decrease in the per capita consumption of beer. The consumption of tea for some unexplained reason dropped from 1.10 pounds per capita in 1906 to .99 in 1907, and went up again to 1.07 in 1908, but the amount of tea consumed as compared with coffee is very small. The exact figures are as follows:

	Per capita consumption.		Per cent of decrease in per capita consumption 1908 as compared with 1907.
	1907	1908	
Wheat and wheat flour..	6.86 bushels.	5.40 bushels.....	21.28% Decrease
Corn and corn meal...	33.11 bushels.	29.10 bushels.....	12.11% Decrease
Sugar	82.61 pounds.	75.42 pounds.....	8.70% Decrease
Coffee	11.36 pounds.	10.04 pounds.....	11.62% Decrease
Tea .....	.99 pounds.	1.07 pounds	8.08% Increase
Malt liquors	21.23 gallons.	20.97 gallons	1.20% Decrease
Distilled spirits	1.63 pf. gallons.	1.44 pf. gallons...	11.66% Decrease
Wines	— .67 gallon.	— .60 gallon.....	10.44% Decrease

The enormous expansion of the American beer trade, which has marked the progress of the temperance movement, is, of course, remarkable, but it is due, in part to the unprecedented increase in the urban population. It is generally estimated that eighty-five per cent of the entire beer business of the United States is a city trade. At the same time, the percentage of increase during the past twenty years in beer production, is believed to be much larger than the percentage of increase either in the total population of the country, or in the urban population. The total population of the United States in 1890 was 63,037,704, and in 1900, 76,303,000, an increase of 21.04 per cent. The urban population in 1890 was 20,768,881, and in 1900, 28,411,698, an increase of 36.8 per cent. The beer sales in 1890 were 27,561,944 barrels, and in 1900, 39,330,848 barrels,

which shows an increase of forty-three per cent. The comparative figures of the urban and rural population of the past decade are not, of course, available, but the total population in 1908 is estimated at 89,770,126, being an increase of 17.52 per cent since the 1900 census was taken. The beer sales increased from 36,581,000 barrels in 1899 to 58,747,680 barrels in 1908, an increase of 60.6 per cent. Evidently, therefore, the consumption of beer is increasing much faster than either the total or the urban population. In this connection, it is interesting to note that the sales in the principal revenue districts for 1908 were 41,422,295 barrels, which was seventy per cent of the total sales. These revenue districts comprise the following cities and vicinities, in the order of importance named: New York, Chicago, Milwaukee, St. Louis, Philadelphia, Newark, Pittsburg, Boston, Cincinnati, Albany, Rochester, Baltimore, Cleveland and Scranton.

In preparation for this article I addressed an inquiry to the principal brewing centers, asking for information showing the trend of the trade, and its relation to industrial conditions, the prohibition movement, weather conditions, soft drinks, the resort business, Sunday closing, etc., etc. Replies were received from twenty of the most important distributing points, representing sixteen states. The substance of these replies indicates that over half of the decrease in the beer sales during the past year was caused by industrial depression, and that probably twenty per cent of the beer is now sold in bottles. There has been no marked displacement of beer by soft drinks, even in dry territory. In the largest cities the Sunday beer business is variously estimated from five per cent to fifteen per cent of the total, but where the saloons have been closed on Sundays during the past two or three years, there has been a considerable increase in the trade in bottled beer. There is no doubt that the family consumption of beer is increasing everywhere out of all proportion to the general beer consumption. The perfection of bottling machinery, improved methods of distribution, reduced cost, and the advertising campaign which brewers are now entering upon, all tend to develop this branch of the business. Besides this, however, the operation of prohibition and local option tends to bring the consumer direct to the producer, and the demand for bottled beer in dry towns has become sufficiently important to indicate the promise of a profitable mail-order business. There

is, indeed, little new territory to be found in connection with the saloon trade, except as new cities spring up with the expansion of the railroads, and the development of suburban points, for there is hardly a city of any size that does not now have quite as many saloons as are actually needed for the reasonable convenience of the public. But every family within the range of a delivery wagon now has its own ice-box, and can keep beer at a palatable temperature, and when once a family tries the experiment, and finds how pleasant and harmless it is, the habit is almost sure to become fixed. Curiously enough, the development of the bottled beer business is decreasing the "growler" or bucket trade. The working-man's family in the cities is getting into the custom of keeping bottled beer on the premises, instead of sending to the nearest saloon for a pail of draught beer at meal times.

With the exception of the family trade, it seems to be the general opinion of the brewers that the country business is hardly worth having. The waste from loss of packages and broken bottles is considerable, the volume of the trade is small and collections are expensive and uncertain. Of course, when a family has a case of beer sent by express, the cost of the bottles is included in the bill. The draught beer business of the average country saloon is usually very small, and the freight charge relatively high. The following letter is enlightening on this subject:

"In New England the country trade is no considerable factor. Rural New England is dry, because the preponderance of rural sentiment is against license. Dry territory takes considerable beer in bottle. But our belief is that no more than a third of our own product in bottles goes into country districts. Of our own draught beer, probably ninety-five per cent is sold and consumed in cities and towns of 10,000 and upwards. We might hazard the guess then, that not more than fifteen per cent of our own product at the outside is for rural consumption; though we do not undertake to give actual figures. The tendency in the country is towards the use of spirits, as evidenced not only by the character of the mail-order business which the cities carry on with the rural people, but by the fact that the saloons of small license towns in the center of rural communities sell their out-of-town customers far more than the urban proportion of spirits to beer. What the country market might become if beer and ale might legally be sold, no one can say; but the

rural communities are the stronghold of prohibition as a matter of fact under any system of local option, and they bear the inevitable result of prohibition in the shape of little beer and much whiskey. In this section, then, the country market for draught beer is negligible, for bottled beer is only passable, but for the distiller it is a mint. Draught beer, in the large, is sold in the cities, and the industrial towns."

The average percentage of alcohol in draught beer is from three to three and one-half per cent, and in bottled beer from three to four per cent. It seems to be the general experience that the Near Beers, which have been exploited so much during the past eighteen months, are not giving satisfaction, and will not be a permanent factor in the business. These beers, which are sometimes called "Uno" and other fantastic names, contain only about one per cent of alcohol, and are practically soft drinks. They look like beer, and smell like it, but as a Southern critic puts it, "It ain't got no conversation." One of the leading brewers writes about it as follows:

"We do not make 'Near Beer,' or 'one per cent' as it is called in this section. Our observation is that it is not liked, is used only under compulsion, has its real function as a cover for the illegal sale of spirits, and has no permanent commercial future on its merits or as a satisfactory substitute for the more substantial fermented malt beverages. The volume of sales of 'near beer' fluctuates greatly. In territory newly dry, sales are large so long as prohibition is rigidly enforced, but as soon as enforcement slacks off in newly dry territory, conditions become what they are habitually in long dry territory—that is, the 'near beer' sales drop off to a minimum, employed chiefly as a cover for the sale of contraband spirits. In general, sales of 'near beer' furnish a fairly accurate barometer for judging the rigidity or laxness of enforcement of prohibition."

Another brewer writes that "at one time it looked as if Near Beer was going to play an important part in the business, but as long as the public can get the genuine product, they will not drink an imitation of it." I find that this opinion is quite generally confirmed by brewers in different sections of the country.

All of my correspondents are agreed as to the relation of the weather to the beer business. Many brewers keep a record of weather conditions in relation to their daily sales. In fact, some

brewers go so far as to say that weather governs the volume of business, other conditions being normal, and that the thermometer is a true indicator of the beer sales. A Chicago brewer puts the matter thus:

"We have some data showing the relation of the weather to beer consumption, but our data is not as complete as we would like to have it. However, the information does show that in warm dry days we sell considerably more beer than in moist and cool days. In July, 1908, for instance, it rained eight days, and the average temperature for the month was seventy degrees. In the same month of the year previous it only rained seven days and the average temperature was seventy-three degrees. In July, 1907, we sold a great deal more beer than in July, 1908. The largest proportion of the decrease in 1908 was of course due to hard times and the wave of prohibition, which hit us pretty hard a month or two previous, but we think the weather conditions also had a great deal to do with it. In July, 1909, we only had six rainy days and the temperature averaged seventy-three degrees, and the sales were just as large as in 1907. Taking different days in the same month we find the same conditions exist; for instance, the twenty-third and twenty-fourth of June this year we sent out considerable beer, but it rained on those days, and the next five days the weather was excellent. The first two of the five days the sales were very small, because the customers had stocked up on the two rainy days, but the last three of those five days the sales showed increases of several hundred barrels each day."

A number of my correspondents find a close connection between the immigration figures and the beer sales, which, of course, is perfectly natural. The schedules of the Bureau of Immigration which are made up for the year ending June 30th, correspond to the fiscal year of the Revenue Department and of the brewers. The number of immigrants and aliens admitted to the United States for the two years which ended June 30, 1907, was 2,386,084, and for the two years subsequent, 1908 and 1909, 1,534,656, a decrease of over thirty-five per cent. The actual difference is much greater because of the large number of immigrant aliens who departed from the United States during the same period. In 1908 alone, these reached a total of 395,073 persons. The attempt to get data as to the nationalities which comprise the prin-

cial beer drinkers in the United States is baffling because of the universality of beer drinking. Practically every nationality that is found in the census list is mentioned by one brewer or another as being particularly good customers. One naturally associates beer drinking with Germans and the English speaking races, but the Italians in this country have adopted the beverage almost universally, and the Russians, Poles, Scandinavians and Belgians are all noted among the regular beer drinkers. Some brewers, however, speak of the native American as being their best customers. The fact is that in this country, as in Europe, the beverage has become so popular that it is evidently destined to be the universal drink of the future.

The growth of the lager beer business, which comprises ninety-five per cent of the entire beer business in the United States, is most remarkable when it is considered that it has only been in popular favor for about fifty years. Dr. Benjamin Rush, of Philadelphia, who is often spoken of as the real father of the temperance movement in the United States, labored persistently over a century ago to popularize beer as a measure of temperance. The introduction of the internal revenue system in 1861 gave a powerful impetus to brewing, and the business was helped along by the German immigration, which at that time had assumed large proportions. From 1863 to 1909 the brewers have paid no less than twelve hundred million dollars of revenue into the United States Treasury.

The capital invested in American breweries is now estimated at five hundred and fifty million dollars, which puts it sixth in the list of the three hundred industries that are mentioned in the United States Census of Manufactures, published in 1905.¹ Eighty per cent of the capital invested is represented in the cost of buildings and machinery. In the same bulletin is given the average yearly wage in the various industries, and it is interesting to note that brewery employees are at the head of the entire list, their average wage being given as \$719.64. The government report shows that "in the manufacture of beer, labor gets one dollar out of every \$5.50 produced. In the manufacture of flour, labor gets one dollar out of every \$26.35 produced. In the manufacture of fruit preserves, labor gets one dollar out of every \$6.35 produced.

¹ Census Bulletin No. 57.

In the manufacture of cheese, butter and condensed milk, labor gets one dollar out of every \$16.50 produced. In the manufacture of coffee and spices, labor gets one dollar out of every \$27.75 produced. In the manufacture of cordage and twine, labor gets one dollar out of every \$7.70 produced. The list might be extended to the same effect. It is clear that the brewing industry does well by labor, pays the highest wages and gives the workingman the largest proportionate share in the financial profit."

In common with other great industries there is a marked tendency in the brewing trade towards the concentration of the business in the hands of the largest concerns. There are some 1,600 breweries in the United States. One hundred and fifteen brewing companies sold during the year which ended June 30, 1909, over 28,000,000 barrels, constituting about forty-eight per cent of the total output. Many of these companies are consolidations of a number of brewing plants, so that they represent some 200 plants.

The following table will show the growth of the business since 1880 in the various divisions of states:

States.	1880	1890	1900	1908
North Atlantic	7,967,534	14,491,585	19,592,693	27,453,565
South Atlantic	343,380	904,249	1,447,163	2,115,864
North Central	4,673,371	10,290,605	15,433,470	23,764,499
South Central	250,058	695,006	1,289,893	2,157,535
Western	512,768	1,180,499	1,567,629	3,256,217
Totals	13,747,111	27,561,944	39,330,848	58,747,680

The percentage of increase was as follows:

States	1890 over 1880.	1900 over 1890.	1908 over 1900.
North Atlantic	81.8	35.2	40.1
South Atlantic	163.2	60.6	46.3
North Central	120.2	50.1	53.4
South Central	177.7	85.5	67.7
Western	130.4	32.8	107.7

The growth of beer manufacture in the South is clearly shown in the above table. Until the development of the ice machine, brewing was practically restricted to the northern states. Thus, up to about 1880, most of the beer consumed in the South was shipped in from the breweries of the North. With the perfection

of refrigerating machinery, however, and the scientific discoveries which made it possible to brew and store beer in any climate, breweries began to spring up in all the important cities of the South. In many cases capital was secured from the North, by the inducements which were offered by local enterprise. In fact it is not too much to say that the cities of the South solicited the brewing trade, and that most of the breweries in the southern states were originally built by northern men with northern capital, under the assurance of moral support and an unlimited franchise.

There is no doubt that lager beer has already changed the drinking habits of the masses in the cities of the South, and that it has been an important factor in promoting true temperance. But the men who lead the prohibition movement do not discriminate between beer and spirits, and in the wild hysteria which has marked the recent exploitation of the temperance sentiment, all beverages which contain alcohol have been classed together, excepting only cider—which is an “agricultural product,” though it contains fifty per cent more alcohol than bottled beer, and patent medicines—which are supposed to be taken with a wry face, and must therefore be good for both body and soul. But the people of the cities are so thoroughly dissatisfied with the imposition of prohibition that there will surely be a readjustment before long, and with this will come a great expansion in the beer business in all the progressive southern states.

THE AMERICAN IRON TRADE OF 1909 AND THE OUTLOOK

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The recovery in the iron trade of the United States from the depression beginning with the panic of October, 1907, has been unparalleled in the history of such periods. In the summer months of this year the view was expressed that the revival in demand had come too soon after a serious unsettling of confidence to be considered the real beginning of another period of prolonged prosperity. The so-called Sunshine Movement of 1908 and the false starts that came with it were one reason for doubting the permanence of this year's improvement. There was a disposition in some quarters, in fact, to find a resemblance between the behavior of the market this year and the effervescent demand which came in 1895, two years after the panic of 1893, and vanished before the year was out. But the developments of the past three months have shown that the present movement has far more back of it than supported the little boom of 1895. Apart from the palpable signs of strength in the iron market itself, the present situation differs vastly from that of 1895 in respect to credit, soundness of the currency basis, the crops, the buying power of the country, and its capacity for adding to its wealth, saying nothing of the greater confidence in financial institutions.

What is said above refers not at all to the tremendous increase in the scale of iron and steel consumption in the United States since 1895, expressed by a ratio of about three to one, but to the state of health in finance and industry to-day as contrasted with the diseased condition that persisted in the years following the crash of 1893. Whatever may have been the opinion of some students of the situation in the iron trade two or three months ago, it is now plain that practically but one ground exists for comparing the movements of 1895 and 1909—the fact that an interval of two years separates each from a severe monetary panic.

It is not necessary, in writing of the revival in the iron trade,

to go at length into the causes of the late depression. Yet there can be no ignoring its railroad phases. Every estimate of iron trade conditions and prospects in the past two years has begun and ended with the railroads. Last year's prophets of an early return of prosperity, who said that the unsound methods of a few New York banks should not stop the wheels of industry all over the country, saw at length that it was more than a local affair and more than the penalty of bad banking. What the iron trade found out at heavy cost was that railroad demand, one of the strong props of the prosperity of 1906 and 1907, had all but disappeared. There was no escaping the conclusion that the Hepburn act and the various official notifications that it was but a fair beginning in the application of untried policies to the operation of railroads, had raised a serious question as to the value of railroad securities. It is now evident that while that doubt has not altogether disappeared, a saner view is taken of the whole railroad problem. That may be some compensation for two years of hardship. Railroad financing over long periods is again possible on terms which can be entertained, not only for the refunding operations and note redemptions which were common earlier in the year, but for the new track, new bridges and new equipment which all the large systems are now planning or have actually under construction.

As in all other periods of recovery the abundance of money, due to the enormous accumulations in banks in the many months during which industry has languished, is an important factor. It is true that thus far much of these accumulations have been devoted to a vast speculation in securities, but even this use, much as it has been deprecated, has not been without its stimulating effect upon the business situation. The common stock of the United States Steel Corporation has been in a spectacular way the leader in this speculative movement. No such gigantic operation for the lifting of a security value has ever been conducted and no other has been so successful. There is no question that the psychological factor in the advance of Steel common from 21 $\frac{7}{8}$ in October, 1907, to a fraction over 90 in September, 1909, has been an influence in the market for iron and steel products. It was evidently the belief of powerful financial interests that the actual demand for the products of blast furnaces and rolling mills would speedily overtake the speculative movement, so that the values established by the latter

through skilful manipulation and the command of an enormous supply of cheap money, would in time be justified by the market for steel itself. Unquestionably this belief thus backed had no little to do in creating confidence in the continuity of the recovery that set in plainly in the spring of 1909.

Opinions will differ as to the extent to which the making of an open iron and steel market in February of this year has figured in the expansion of demand in the past six months. Those who consistently believed in the price maintenance policy of 1908 have been disposed to say that confidence was returning and that the time was ripe for a larger consumption. There were others who believed, as Andrew Carnegie did, that "the way to lift the market is to get under it." They considered that the only way to end the hesitation in demand, which they held due in part to doubt of the ability of the steel manufacturers by lawful co-operation to hold prices close to the level of 1907, was to make such cuts as would attract buyers. It was known for weeks before the open market announcement of February 18, 1909, that the co-operative movement was seriously threatened. Nominal market prices had been cut from \$1.00 to \$3.00 a ton, some of the smaller companies leading in these reductions. The sales managers of the various subsidiary companies of the United States Steel Corporation had been urgent for some time in appeals for permission to meet the prices of their competitors. The decision of the United States Steel Corporation that it would no longer maintain prices was announced by Judge Gary, its chairman, on February 19th. Of the reasons for this course he said:

It appears that, for one reason or another, including particularly the tariff agitation, many of the smaller concerns who have not been disposed to co-operate during the last year have become more or less excited and demoralized, and have been selling their products at prices below those which were generally maintained. This feeling has been somewhat extended and has influenced unreasonable cutting of prices by some of those who were opposed to changes but felt compelled to meet conditions in order to protect their customers. As a result of these conditions there has been a material decrease in new business during the last month for the reason, as stated by consumers, that they proposed to wait until after they were satisfied bottom prices had been reached.

In view of the circumstances stated, and the further fact that the stocks on hand at the time the panic occurred have been disposed of and the contracts

in force at that time have been completed or taken care of so that the necessities for the maintenance of prices which formerly existed have been modified, the leading manufacturers of iron and steel have determined to protect their customers, and for the present at least sell at such modified prices as may be necessary with respect to different commodities in order to retain their fair share of the business. The prices which may be determined upon and the details concerning the same will be given by the manufacturers to their customers direct as occasion may require.

In the week following the appearance of the above statement the prices of nearly all iron and steel products fell several dollars a ton. The price of steel rails, however, was held at the \$28.00 level for Bessemer rails and has remained there. The pig iron market had been practically an open one throughout the depression, and yielded but little when the finished material price structure fell. On most grades of pig iron the early reduction in February amounted to fifty to seventy-five cents a ton. For a time users of finished material bought sparingly, as they had done before, believing that it would take some time for prices to touch bottom. Successive reductions in mill products came in March, April and May. The low point for most products was reached in the last named month.

FLUCTUATIONS IN IRON AND STEEL PRICES IN 1907 AND 1909.¹

	High, 1907.	Low, 1909.	Oct. 1, 1909.
Bessemer pig iron	\$23.28	\$14.58	\$17.50
Basic pig iron	23.00	14.12	16.50
Southern No. 2 foundry iron	26.00	14.25	17.75
Bessemer billets	30.00	22.00	25.50
Rails	28.00	28.00	28.00
Plates	1.70	1.10	1.50
Structural shapes	1.70	1.10	1.50
Merchant bars	1.60	1.05	1.40
Sheets, 28 gauge	2.55	2.10	2.30
Tinplates	3.85	3.45	3.55
Plain wire	1.90	1.40	1.60
Pipe, ¾ to 6 in.	2.47	1.81	1.81

An idea of the movement of prices in the past two years may be obtained from the foregoing table, in which Pittsburgh prices are represented, except in the case of pig iron. For Bessemer and basic

¹Prices for pig iron, billets and rails in dollars per gross ton; prices of other products in dollars per 100 pounds.

pig iron the 1907 price is the average price at Mahoning or Shenango Valley furnace for the high month of that year, while the 1909 price in the next column is the average in the "Valleys" for the low month in that year. The freight from the "Valleys" to Pittsburgh is ninety cents a ton. In the case of Southern No. 2 foundry iron the price given is for Cincinnati delivery. The prices in the third column are all as of October 1, 1909.

Perhaps the most marked response to the reductions in steel prices was noticed in the market for structural steel. Fabricating companies made low bids on building contracts in 1908, so low in fact as to indicate plainly that some steel manufacturers were furnishing them structural shapes at considerably less than the prices ostensibly maintained for the latter by the co-operative movement. When steel prices were openly cut this year further reductions were made in structural steel, and these stimulated the placing of orders for new buildings and bridges. Large contracts for bars were placed also in the spring of this year, some of these running to the middle of 1910. There was good buying, too, of wire products, but the most pronounced movement in these came just after May 1st, when reductions of \$4.00 a ton in wire nails were announced and of \$7.00 a ton in barb wire.

Buying by the railroads was not particularly stimulated by the cuts in prices. Occasional orders were placed for new cars and locomotives, but it was the general report that the railroads were not in need of new rolling stock. However, as the buying movement in the iron trade broadened and demands upon the railroads increased, new equipment orders became more frequent. At this writing most of the car works have orders enough to keep them busy until the end of the year. For most of 1906 their books showed that their capacity was engaged for about twelve months ahead. This was true, also, in the early part of 1907.

Perhaps the best measure of the recovery in the iron trade this year is found in the statistics of pig iron production. At the beginning of 1909 the blast furnaces of the country were producing at the rate of 21,000,000 tons of pig iron a year. On September 1, the rate had increased to 27,750,000 tons a year, with additional furnaces going into blast each week, indicating that new records would be made in September and October. The greatest pig iron production in the United States for a year was 25,781,361 tons in

1907. While 1909 is likely to fall more than 1,000,000 tons short of this the indications are that the 1907 record will be considerably exceeded in 1910.

Mention should not be omitted of the effect of the February reductions in steel prices on the wages of iron and steel workers. All the important steel companies apart from those included in the United States Steel Corporation reduced wages ten per cent, making the new rate effective April 1, and in some cases similar reductions were made in all salaries from president down. A number of blast furnace companies in the Central West and in Central and Eastern Pennsylvania made reductions also, though for the most part blast furnace wages were readjusted in 1908 as prices for pig iron fell. One of the most noteworthy of all the surprising phenomena of 1909 was the prompt restoration of wages by iron and steel companies. The general expectation that the United States Steel Corporation would reduce wages was not realized. Accordingly in May and June announcements were made by the various other steel companies that the wages of their employees would be restored to the basis existing before April 1. The marked improvement in business was the reason generally given for these restorations, in spite of the fact that some of the steel companies had been forced to make prices leaving little profit, in the sharp competition for orders. It was recognized, however, that the cost of living was persistently high and that after the short working time and short pay of 1908 steel workers were ill prepared to stand a general reduction in wage rates.

Though much was said about the tariff in comments on the course of the iron trade in the early part of this year, the downward revision of iron and steel duties in progress at Washington was really not an important influence. The effect of the Payne-Aldrich tariff act, as passed in August, is thus far scarcely appreciable in the iron trade. The best opinion is that under ordinary conditions foreign iron and steel products, even under the new duties, need not be expected to enter the United States in any significant quantity. The difference between ordinary market prices abroad and those in the United States is not sufficient to warrant the cost of transportation from foreign steel works, the payment of the duties and the penetration of foreign pig iron or finished products any considerable distance into the interior of this

country at competitive prices. The Atlantic seaboard, in fact, may be considered practically immune from competition except when domestic prices are pushed up rapidly under the impetus of a boom. The Pacific slope is most exposed, but there the tonnage involved is relatively small. When any large orders come up in that territory it may be expected that our iron and steel works nearest the Pacific, or even those in the Chicago district, would make any concessions needed to hold the business at home. The chief possibility of the reductions in the metal schedule is the cutting off of part of the peaks in prices reached in boom times.

Of actual developments thus far on which the new tariff has a bearing, the most important is the report that a large Pacific coast steamship interest has bought 50,000 tons of Chinese pig iron and is now placing it with consumers in that district. A certain amount of Chinese pig iron, as well as foundry iron produced in Great Britain, has been imported on the Pacific Coast in recent years. In view of the high cost of transportation to the coast from domestic centers of pig iron production, importation has been advantageous and is more so now that the duty has been reduced from \$4.00 to \$2.50 a ton. On the Atlantic seaboard the rapid advance in the price of domestic pig iron suggested to a number of buyers as early as August of this year the advisability of importing iron from the Middlesbrough district in England. The low state of the British iron market in the eighteen months preceding had brought values down to an attractive level. Middlesbrough No. 3 foundry iron, for example, was selling at fifty shillings in August. Early in September arrangements were made for bringing in several thousand tons of this grade, which corresponds to No. 2 foundry iron in the United States, at \$17.50, duty paid. At that time deliveries of No. 2 domestic pig iron at plants of tide-water consumers were on a basis of \$17.75 to \$18.00. It is a question how far the import movement will go. Already advances have been made in Great Britain, due to expectations of further American demand. It is always the experience that higher prices abroad follow advances here. Whether these will now be rapid enough to check the shipment of iron to the United States will depend in part on the extent of the actual accompanying improvement in consumption in Great Britain.

The possibility of imports of scrap iron and steel is also of

interest in view of the reduction of duty on such material from \$4.00 to \$1.00 a ton. The rapid increase in the production of basic open hearth steel in the United States in recent years, and the large employment of scrap iron in the manufacture of such steel has created a comparative scarcity of what is known in the trade as "heavy melting steel scrap." Eastern steel works in particular found the advance in the price of this material an embarrassment and naturally such companies favored the reduction in the scrap duty as a means of holding in check the domestic scrap market. Arrangements have already been made for bringing in several thousand tons of "bloom ends" from the Middlesbrough district in England, and it is believed that a considerable movement of South American and Mexican scrap into the United States may yet be seen, in addition to imports from Germany and Great Britain.

Every revival in the iron trade like the present one brings up the question of the immediate and prospective relation of consumption to producing capacity. It is not the habit of iron and steel companies to enter upon new programmes of construction in slack times. But it has often been noticed that new rolling mills, steel works and blast furnaces on which work was started in a boom are nearly ready to produce when the break comes and thus have to be reckoned with when demand again shows signs of strength. Another fact about the American iron trade which should be put alongside this one is that the potential consumption which the iron trade faces on emerging from a period of depression is not that which existed when prosperity departed. Not only in every such interval is there a gain in population, but new uses for iron and steel are developed. Thus as the tide of prosperity rises again it is with the certainty that a new high point will be reached on the ensuing movement.

The United States Steel Corporation was the chief builder of new capacity in the recent depression. Its appropriations for new construction out of the earnings of prosperous years were enormous. The plan was that the works at Gary, Indiana, which are counted on, as now laid out, to add 2,500,000 tons a year to the Steel Corporation's product, should be pushed ahead regardless of conditions in the iron trade. In deciding on these works the Corporation's officers took account of the average increase in iron and

steel consumption in the United States over a period of years. They decided that there were advantages in building in times of depression, even though the capacity should not be immediately needed. Comparatively little was done in new construction in 1908 by the independent steel companies. Some of them had just finished additions before the panic broke, others had plans for extensions which in some cases were held in abeyance last year, but were taken up in the early part of 1909. The result is that the iron trade enters upon a new period of prosperity with a considerably increased ability to produce pig iron, steel and finished material. Further, construction now under way and plans about to be carried out will bring forward other new plants at intervals in the next twelve months. It is reckoned that at the beginning of 1907 the effective blast furnace capacity that could be simultaneously worked was capable of producing 26,400,000 tons of pig iron a year. In 1907 fifteen new furnaces were put in blast, with an annual capacity of 2,050,000 tons of pig iron. In 1908 eleven new furnaces were started up, with a capacity of 1,300,000 tons a year; in the first nine months of 1909 nine new furnaces, with a capacity of 1,250,000 tons a year. In addition fourteen blast furnaces of modern capacity are under construction, while twelve furnaces are being rebuilt and enlarged. Thus by the early part of 1910 our pig iron production could reach 33,000,000 tons a year, as against a production on October 1, 1909, at the rate of about 29,750,000 tons a year. Much of the blast furnace construction referred to above is accompanied by new steel works capacity and new rolling mills, the latter representing a proper increase in the production of various finished forms of iron and steel. It is plain, therefore, that demand may still increase materially in the next twelve months without putting the industry under such strain as was experienced in the first half of 1907.

The predictions of leaders in the iron trade concerning 1910 are highly optimistic. These are not based on the amount of business actually booked for next year, for that is not great as yet. The reasoning of those who predict the greatest year the iron trade has ever seen is this: with partial recovery from the depression the iron industry is making a record production in the closing months of 1909. Even allowing that the present movement represents in part the rebuilding of depleted stocks, continued recovery, following the

marketing of enormous crops, will carry the iron trade well past its best record. The steel manufacturers made every effort to prevent speculative buying at the low prices of four months ago. For the most part deliveries were limited to 1909. Already orders for 800,000 tons of rails have been entered for 1910, and it is expected that further large purchases will soon follow. The rail mills have done little better in 1909 than in 1908. Their production in the latter year was about 1,900,000 tons, as against a record of 3,977,000 tons in 1906, and a total of 3,633,000 tons in 1907. The prediction that 1910 will make a new record in rail production is based on the idea that that year must compensate for the restricted purchases of 1908 and 1909.

Cautions are already being sounded, in view of the rapid advance of prices for iron and steel in the past month. Particularly has the pig iron market shown signs of excitement. There is a feeling that if the buying movement covering pig iron deliveries for the first quarter and first half of 1910 goes on at the pace of the last half of September it will be succeeded by a reaction that can only retard healthy recovery. All raw material markets seem to be affected by the high expectations entertained for the coming year. Prices of coke for delivery in 1910 are now nearly double those touched at the low point last year. The expectation of Lake Superior ore shipments in 1909 entertained early in the season was about 35,000,000 tons, as against record shipments in 1907 of 42,245,000 tons. Predictions are now made that this year's shipments will exceed 40,000,000 tons and may come close to the total for 1907. Whereas authorities in the ore trade were quite convinced last year that a period of years would elapse before the demand upon Lake Superior mines would approach that of 1907, they now believe that it will be much exceeded in 1910.

In connection with the lake ore movement it should be noted that Eastern Pennsylvania blast furnaces are now importing iron ore from Cuba, Newfoundland, Sweden and Spain to an extent that makes them almost independent of the Lake Superior supply. Heretofore they have bought from 1,000,000 to 2,500,000 tons of lake ore a year. The present indications are that the low prices at which foreign ores can be delivered, due in part to the reduction in the iron ore duty from forty cents to fifteen cents a ton, will result in imports of fully 2,500,000 tons of iron ore in 1910, whereas in three

years only have importations exceeded 1,000,000 tons, the high record being about 1,300,000 tons.

The iron trade in both Germany and Great Britain has been favorably affected by recent developments in the United States. In Germany complications over the existing iron and steel pools must be reckoned with in any calculations for 1910. There were evidences of a certain amount of dumping of German steel in Great Britain last year, and in semi-finished steel the movement has persisted in 1909. The steel manufacturers of the United States, however, are quite persuaded that there is no profit immediate or ultimate in dumping material on foreign markets. The operations of the United States Steel Products Export Company, which conducts the export trade of the United States Steel Corporation's subsidiaries, have been steadily carried on with a view to making a profit. This company did not increase its exports in 1908 and 1909 because of the lessened demand at home, but rather sent less steel abroad, accepting the foreign situation as it found it. On the next upward movement at home it may be expected to follow the policy of 1906 and 1907, when it vigorously pushed its foreign trade, in contrast with the old time policy of withdrawing from foreign markets when home demand was extraordinary.

THE OUTLOOK FOR PAINT MANUFACTURE

BY G. B. HECKEL,

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The paint manufacturing industry is one of the few important fields of enterprise which still remain comparatively free from the tendency towards combination and consolidation; consequently the distress attendant upon the recent business depression was more widely distributed, but less acute in this than in some other fields.

The paint trade enjoyed a distinct advantage from the fact that while the manufacturing, commercial and financial institutions of the country were seriously embarrassed by loss of confidence and shortage of funds, the rural populace, especially in agricultural communities, were at no time seriously incommoded, one good crop year having succeeded another, so that the "panic" scarcely affected the country districts at all, except sentimentally. This condition, coupled with the extraordinary selling efforts put forth by the trade, maintained the consumption of what are technically known as "shelf-goods" at nearly the average normal volume. In structural, railway, manufacturing and technical lines, the condition was, of course, reversed, consumption falling to the minimum, and the competition for such trade as was offered cutting away all possible margin of profit.

The annual consumption of paints, and varnishes of all kinds in the United States, certainly exceeds \$200,000,000, the three items of white lead, zinc oxide and linseed oil alone amounting to nearly \$40,000,000 of the total. Roughly speaking, this consumption is about equally divided between what may be called house-painting products and technical products (railway and bridge paints, wagon and implement paints, etc.). We may, therefore, estimate pretty closely, that during the two years of depression, paint consumption was reduced by about one-half, the reduction in the first classification being about balanced by the remaining demand in the second.

Such a condition naturally involved some expert financiering, a reduction of forces to the minimum and the enforcement of rigid

economy all along the line. That practically the entire industry weathered the storm speaks volumes for the business sagacity and ability of those engaged in it. Recovery has been gradual but persistent. The demand in house-painting goods had reached the normal volume nearly a year ago, and in manufacturing and structural goods there now is almost complete recovery.

The demand in the car-building and railroad department has, however, lagged behind. In fact it is only at this writing that these lines give evidence of recovery. Recovery in this particular industry is significant. According to Dr. C. B. Dudley, Chief Chemist, the Pennsylvania Railroad alone in 1906 consumed annually nearly a million dollars' worth of paints. According to Poor's Manual, the Pennsylvania Railroad operates about one-fifteenth of the railroad equipment of the country, while its mileage is less than one-thirtieth the total. Allowing for the high grade of maintenance characterizing this road, we shall perhaps be conservative in estimating the total railway consumption of the country at \$12,000,000 to \$15,000,000 annually. The addition or subtraction of this consumption naturally means much to those houses that cater to it.

But we have further to consider the fact that during more than two years past, this consumption has been limited on the basis of "rigid economy," and that now not only must the railways add their normal annual equipment, but they must also add the new equipment deferred for two years, besides providing for the repairs and renewals deferred during the same period. We may, therefore, expect that the railways during the coming year will be forced to distribute between \$20,000,000 and \$30,000,000 among paint and varnish manufacturers.

Large construction also has lagged notoriously during and since the fall of 1907, but a vast revival is already apparent in this department. Here, again, we shall find, along with the construction of normal times, an important increment from deferred operations. In this field then we may also anticipate an extraordinary demand during 1910. These are but concrete examples of what is to be anticipated from the entire field of paint consumption.

The paint manufacturing industry as a whole, has advanced rapidly during the past ten years, the temporary set-back of 1907 being but an incident. This is particularly true of the prepared paint industry, including in the term "prepared paint" all those

products in which the materials are prepared practically ready for use by mechanical means, in contradistinction to those products which the consumer must temper and combine for use. During the decade under consideration there has been a general reconstruction of factories along modern lines of mechanical efficiency and operating economy. Wood construction has been widely replaced by concrete or slow-combustion millwork and electrical distribution of power has in many places superseded distribution through shafting and belting.

Side by side with this advance in mechanical efficiency has proceeded an interesting technical development of which the end is not yet in sight. The trained chemist and physical investigator has risen in authority over the old inherited "formula book," or the private "note book" of the shifting factory superintendent. This vital change has been reflected in increased efficiency, both at the buying and the selling end; the raw materials being bought and inspected according to chemical and physical standards and formulas being revised to fit discovered facts of service, rather than the reverse.

Consolidation, as has been remarked, has made but little headway in the paint trade, yet the modern co-operative spirit has made its way here as elsewhere. This spirit is manifested not only in the social, financial and industrial betterment schemes operative in many of the larger plants, but also in the co-operative work maintained in the Bureau of Promotion and Development of the Paint Manufacturers' Association. This bureau not only carries on systematic educational work among paint dealers, but also in its "Scientific Section," maintains a well equipped laboratory for technical experiment and research, the results of which are regularly placed at the disposal of all the members. The bureau furthermore, in co-operation with various technical bodies—the North Dakota Agricultural College, the American Society for Testing Materials, the Geological Survey, the Bureau of Roads, etc.—has erected and maintains wood and steel test fences at various points, to test on a large scale and under known conditions, the action of the various pigments, vehicles and formulas.

To illustrate the significance and importance of this work, let us consider briefly the steel test fences at Atlantic City and Pittsburgh. Some three years since, Dr. Allerton S. Cushman, of the

United States Department of Agriculture, and Dr. Percy H. Walker, one of his colleagues, in investigating the corrosion of steel fence wire and steel highway culverts, became convinced that some commonly used paint materials promote, while others prevent—or, to use Dr. Cushman's lucid term "inhibit," corrosion. Drs. Cushman and Walker communicated their observations to the American Society for Testing Materials and the Department of Agriculture issued a bulletin on the subject.

The Bureau of Proportion and Development, realizing the importance of the matter to the paint trade, then came forward and proposed to erect, under the supervision of the American Society for Testing Materials, a steel plate fence at Atlantic City and a steel wire fence at Pittsburgh, where these conclusions could be given a comprehensive field test. The results thus far seem to justify the conclusion that corrosion in steel structures is ordinarily caused by electrolysis induced by currents set up in the steel itself; that some pigments and vehicles promote such corrosion by acting as electrolytes to conduct the current; and that others inhibit such corrosion by rendering the steel surface "passive" or incapable of electrolytic corrosion. The final confirmation of these apparent facts and their practical application in the industry will mean much, not only to the farmers who use fence wire and the railway and other interests which utilize vast quantities of steel materials, but also to the natural resources of the country—for iron ore is an exhaustible commodity, which, as has been pointed out, when once gone can never be renewed.

The wooden fences referred to are maintained for similar purposes and have already thrown much light upon the causes for the deterioration of paint and the means to be adopted for preventing or deferring it. One very important conclusion already officially promulgated as a result of these tests is the maxim that "a mixture of two or more of the prime white pigments (white lead, oxide of zinc, sublimed white lead, etc.) when used alone or in combination with a small percentage of inert pigments (barytes, silica, silicate of aluminum, silicate of magnesium, etc.) makes a paint far superior to that made from one pigment alone." This is almost a revolutionary dictum, coming from technical men, meaning as it does in plain English, that the prepared paint manufacturers are right and the advocates of so-called "pure paints" wrong in their contentions.

During the past three or more years well-intended but ignorantly devised paint legislation has threatened and harassed the trade. Laws now exist in several states requiring the complete paint formula to appear on the package. Similar laws have been proposed in a number of the remaining states and in Congress, but have thus far been successfully opposed. In some of the Western States also, legislation, modeled on European lines and looking to the prohibition of white lead on the ground of its toxic properties, has been introduced, but that also has been successfully opposed.

As this subject concerns the public and is of vital importance to the paint manufacturing industry, it may not be out of place to devote a paragraph to it here. The ostensible object of such legislation is to guard the paint consuming public against fraud. Its practical result is to check investigation and improvement, to promote the sale of known materials as against unfamiliar ones, and eventually, by exalting the published formula at the expense of the trade-mark and brand, to force consolidation on a reluctant trade. If the formula gave the information it is supposed to give, more might be said of such laws; but every practical paint man knows that the chemical formula is but one factor in the service-value of a paint, and that to publish the formula alone serves merely to mislead the purchaser. The demand for such legislation is but a manifestation of the social awakening that has been evident among us since the dawn of this century—a little eddy of the wave of reform that is sweeping over us. The people are eager to clean house—to “cleanse out the old leaven” to the last trace. Abuses have been discovered in the paint trade, and in the eagerness to correct them, the purifiers have not taken serious thought of the consequences of lopping off a limb to cure a corn.

The same abuses have characterized all commerce, and legislation to correct them should be broad enough to include them all. To effect this a general law requiring a statement of net contents on goods sold ostensibly by weight or measure, and penalizing misstatements on labels or in advertising (such as the British merchandise mark act), would cover the entire range of products.

In conclusion, the paint industry of the country is, at this writing, in a healthy and prosperous condition, with an inspiring outlook in the near future.

TRADE REVIVAL IN THE LUMBER INDUSTRY

BY JNO. E. WILLIAMS,

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To be of public service a discussion of present conditions of the lumber industry must deal primarily with those phases of it least generally or not at all understood. It is a curious fact that the American lumber industry, although ranking fourth in the country, is very largely an object of public misinformation, indifference or ignorance. It rarely happens that wood products are included in the commercial reviews appearing in secular newspapers, and when discussed at all, results are generally misleading and often grotesquely absurd. The reason for this is perhaps not far to find. Lumbering operations are generally remote from the centers of affairs and familiar to those immediately interested only. To the average person, wood is in a manner not unlike water, it seldom excites little conscious heed until missed. Since earliest times this human intimacy with wood has begun in the cradle and ended in the coffin. In the interval it is inseparable from practically all of the domestic economies—houses, barns, furniture, vehicles, walks, railroad equipment, boats and the thousand and one minor articles designed for as many practical and ornamental purposes. As a result timber consumption has been and still is on a scale of inconceivable magnitude.

The white pine forests in the lake region or in the old Northwest for upwards of fifty years have been supplying much of the country lying between them and certain sections of the East. They were at one time regarded as practically inexhaustible, but are today largely depleted. In those days, too, this supposed superabundance of timber naturally operated to depreciate commercial values and to restrict development to the largest and choicest trees only. In the meanwhile the rate of consumption has kept pace with the fabulous growth of the country and foreign requirements, until, at the present time, dependence for wood products is upon all the wooded regions of the country, notably, besides the older sections, the southern and Pacific coast states. The larger residue of stand-

ing timber is in the latter, but the South is supplying a larger share of domestic and foreign requirements.

The entire wooded area of the United States has been estimated to be, according to available data, 550,000,000 acres. This, like most other kindred statistical estimates—nothing of the sort has ever been systematically verified—conveys at best a doubtful sense of the reality. An example of a sort was that of an article appearing years ago in a popular magazine on the timber resources of Mississippi. The article was well written and superbly illustrated. In a general way it possessed educational value except in the all important particular of showing the timber at the time standing in the state, which, it was gravely stated, amounted to "18,000,000 feet!" There are scores of mills in the state that cut as much or more every year. Whether the error was typographical or not, the absurdity of the estimate would naturally in either case have excited in the editor or average reader no clearer or more intelligent consciousness than 18,000,000,000 would have done. As a matter of fact, it is doubtful if one of ten citizens could, if suddenly called upon, define the exact meaning of a standard foot of lumber. The nine uninitiated probably do not know that this standard means a piece twelve inches square and one inch thick. Whether applied to sawed products an inch in thickness, or any dimension including the heaviest timbers, this standard unit of measurement is uniformly the basis of all computations.

The woods of commerce in this country embrace principally the pines or other species known as conifers, cypress, in a class of its own, exclusively indigenous to the South, more particularly in the gulf states, and the hardwoods which, speaking untechnically, embrace in great number and variety all of the woods of commerce with deciduous foliage. This classification is anomalous in that some of the so-called hardwoods are softer and lighter than one species of the pines indigenous to the gulf states and known as long-leaf yellow pine, which weighs as much as, and possesses the tensile strength of, even certain of the more sturdy hardwoods. The weight of wood products varies of course according to the texture, general character and condition of any given example. If rough and lately cut green, weights range from 3,500 to 6,000 pounds per thousand feet, or, of course, three and one-half to six pounds per standard foot. If dry and surfaced, or planed or dressed—all

terms signifying the smoothing process—the weight is reduced to say from 2,000 pounds upward, according to the character and dimensions of the material. An average carload of dry lumber amounts to about 20,000 feet. The importation of foreign woods is largely restricted to mahogany and other tropical and costly cabinet species and the coarser grades of Canadian white pine. The laity, so to speak, should find these details useful in connection with lumber statistics and justified, in a prefatory way here, on the ground that the present discussion may to a limited extent serve an educational purpose.

Degree of Recovery from Recent Depression

The money panic of 1907 promptly and sharply undermined the lumber industry and to an extent believed to have been equaled in the case of no other commodity of like or greater importance. The crisis interrupted a period of activity and prosperity unprecedented in the history of the industry. The volume of trade and prices had attained proportions previously unexampled and were on a level with the then inflated state of trade generally. From prices thus without precedent and a demand scarcely less phenomenal, both fell off until producers found themselves seriously embarrassed and perplexed. The situation called for immediate and decided curtailment, but the mill men were slow to adopt either policy. The general belief was that the revulsion would be short lived and operating crews must be cared for. In this the American saw mill contingent is peculiar, for though largely incorporated, its votaries are unfailingly humane. In some quarters the trade kept up a steady and not seriously shrunken volume of business. At first not only building operations underwent a marked falling off, but the railroads whose requirements had previously absorbed from thirty to forty per cent of the entire forest products of the country, abruptly withdrew from the market and until recently kept out of it almost entirely. Other branches of consuming industry, notably furniture and vehicle factories, were affected, and there was general and depressing shrinkage of demand and an even greater per cent of falling off in prices. This outlines, briefly, the situation during 1908 and the first half of 1909. In the meanwhile the farming contingent, for the most part blissfully exempt from the ravages of hard times, continued fairly good customers, and with the revival of

building operations to really unprecedented proportions, the reduction in consumption ceased and the industry was saved from disastrous stagnation. When later, about a few months ago, the railroads began cautiously to place orders for material long needed for neglected repairs and reconstruction, the clouds broke and brightness began to shine through. The factors to-day lacking to restore ante-panic conditions include, most notably, still greater activity in railroad requirements, more conservative production and greater confidence in the future behavior of markets.

Tariff Legislation

The prices of lumber preceding the panic while publicly regarded as abnormally high and in point of fact comparatively higher than at any former period, were not relatively excessive. It is a matter of repeatedly demonstrated fact that during the inflated period a given quantity of any of the leading farm products turned into money would at the same time have bought more lumber than at any previous period. Lumber, as a matter of fact, and largely on account of an abundance of timber has never in this country attained to selling values commensurate with its intrinsic worth. The public has been educated by events to esteem lumber too cheaply; to underrate its supreme importance and to remember its past degraded selling values. Incidentally, however, and apart from comparative and relative considerations, the prices of lumber had been forced upward by previous advances in the value of standing timber equal in many instances to a maximum of 800 per cent; corresponding to the prices of necessary machinery and operating supplies, food stuffs and labor. When the panic came, all of these vital factors counted for nothing and prices of lumber precipitately tumbled to a level, in many cases below the actual cost line.

In spite of these undeniable facts, *however*, a strong public conviction had falsely been "shed abroad" by agitators that the country was in the clutches of an all powerful, relentless and voracious combination or trust. A populistic senator had declared these things with great particularity and vehemence on the floor of the senate, where he also moved the adoption of a joint resolution instructing the Bureau of Corporations to probe the whole matter and report its findings to the congress. The masses, for the most part ignorant of the facts, took the senator for a man of, at least,

ordinary veracity, and naturally believing what he said, waxed indignant and assumed a militant attitude. Thus it happened that when the special session of congress convened early last spring to revise the tariff, the administration at Washington, the congress and the people at large were alike disposed and determined to make of lumber a special and sacrificial example. When soon thereafter a group of lumbermen eminent for conservatism, honor and intelligence appeared before the house ways and means committee and laid the matter bare, a change of sentiment began that resulted in not putting lumber on the free list as was the original determination, but in merely a reduction of the Dingley schedule for rough lumber of thirty-seven and one-half per cent, or from \$2.00 to \$1.25 a thousand feet. In addition to the outcome of the belligerent campaign above outlined, the Bureau of Corporations found its investigations bootless. The odious trust had eluded discovery, although lumbermen themselves had very generally and unreservedly aided in the investigation. The tariff agitation in this way proved a source of education without which the public would have remained in ignorance of the merits of the questions involved. The incident affords a powerful object lesson. Prior to this agitation nobody had taken any pains to acquaint the public with the facts and the masses, of course, were in a state of irresponsible ignorance of them.

The industry has undoubtedly suffered more from the combined ravages of the reactionary effect of the panic and tariff agitation and uncertainty than any other of the leading industries. The effect of the tariff upon the prices of lumber has never been and is not now tangibly discoverable. Agitators are in the habit of tracing the stimulating effect of the tariff on the prices of lumber and of glibly attributing robbery and wrong to its operation, but nobody in a position to see and know all about it has been or is now able to do either.

International Trade

The export trade of the lumber industry reflects its chief importance. Aside from the importation of tropical cabinet woods, there has been an average of possibly two per cent of the entire consumption of the country imported from Canada and that of a low priced character. This per cent was not materially increased under

the Wilson tariff, which admitted rough lumber free. Perhaps it may be said appropriately in passing that the lumber industry has the same claim as other protected industries, and that if protection is right on general principles, lumber is and should be no exception to the rule. It has become axiomatic in lumber circles that the export trade automatically reflects domestic conditions. Importers on the other side are vigilant and quick to detect changes of market tendencies. If downward the latter are always exaggerated and made to serve as a dead weight. If upward, they are denied or discredited or minimized. Their own markets derive and assume the color and tone from and of conditions on this side. Hence it is not surprising that the export trade of the last two years has been especially unprofitable, although the volume of business has been less markedly shrunk than have average prices. The following tables, taken from the "Lumber Trade Journal," of New Orleans, exhibit the falling off in comparative valuations and average prices of wood exports as stated:

	1908.	1909.
Unmanufactured	\$16,694,908	\$12,580,389
Lumber	36,189,226	29,435,493
Shingles	75,535	61,784
Shooks and cooperage	14,084,291	14,060,712
Doors, sash and blinds	479,266	534,534
Furniture	5,631,325	4,293,904
Miscellaneous	8,366,754	6,900,616
Grand totals	\$81,521,305	\$67,867,432
Decrease in total value, \$13,653,873, or 16.7 per cent.		

EXPRESSED IN STANDARD FEET.

	1908.	1909.
Sawed timber	463,440,000	383,309,000
Boards, deals and plank	1,548,130,000	1,357,822,000
Joist and scantling	27,332,000	22,122,000
Totals	2,038,902,000	1,763,253,000
Decrease, 275,649,000 feet or 13½ per cent.		

COMPARATIVE AVERAGE PRICES.

	1908.	1909.
Boards, deals and plank, per M. feet	\$23.00	\$21.41
Joist and scantling, per M. feet	21.28	17.13
Sawed timber, per M. feet	23.82	21.95
Hewed timber, per cubic foot .....	.27	.284
Staves, per piece .....	.098	.105

The comparative number of staves exported for the two years were respectively 61,696,949 and 52,538,016 pieces, most of which were shipped to France from New Orleans.

The principal importing countries include the United Kingdom, British North America, Belgium, France, Germany, Italy, Netherlands, Central America, Mexico, Cuba, West Indies and Bermuda, South America, Chinese Empire, Hongkong, Japan, British Australasia, Philippines, Asia and Oceanica, Africa. Great Britain is the largest importer. Exports to oriental countries largely come from the Pacific coast.

Co-operative efforts are in progress among gulf coast exporters of yellow pine products to reform and improve existing inspection methods on this side and to install representatives to guard against unjust reclamations on the other, the growing need of which has been impressed upon exporters by experience. The principal Atlantic and gulf outlets include Baltimore, Norfolk, Newport News, Brunswick, Savannah, Jacksonville, Pensacola, Mobile, Gulfport, New Orleans, Port Arthur and Galveston.

General Outlook

This is a branch of the general subject under review involving in a larger measure than the others matters of opinion or conjectural problems. At the present moment the producing capacity inherited from ante-panic stimulation exceeds the power of the country and the ordinary export movement legitimately to absorb. The fact is even now retarding price recovery and must be arrested before otherwise warranted advances can be made effective. The yellow pine industry, which in point of magnitude and importance leads all the rest, is extremely sensitive to market influences and is predisposed to fall upon the slightest provocation. Many habitually conservative, well informed authorities believe, however, that the industry faces another period of extraordinary activity and prosperity.

In this and other branches of industry not free to go into any agreement, other influences are in progress to induce individual producers to voluntarily curtail their outputs until the anticipated revival shall have been consummated. Building operations continue exceptionally active and railroad requirements are expected to undergo a large margin of increase. The crops afford promise of a

heavy farmers' demand, and conditions in contributive classes of trade are believed to be of a character to justify an optimistic outlook.

The residue of standing timber in the country is being exhausted at a rapid rate, the amount destroyed by fire, storms and vermin being estimated at about one-half of the whole amount used in industry. The latter is estimated at about 40,000,000,000 feet annually. One important factor the industry is now facing and must reckon with is the enormous substitution of other materials for uses formerly monopolized by wood, notably steel, iron and cement. The life of woods exposed to the weather is also being increased several fold by artificial preservatives. Upon the whole, the popular propaganda of a rapidly approaching timber famine is very considerably exaggerated and the present generation need not be greatly alarmed.

SOUTH AMERICA—OUR MANUFACTURERS' GREATEST OPPORTUNITY¹

BY HON. JOHN BARRETT,

Director, International Bureau of American Republics, Washington, D. C.

Without wasting any of your time in preliminaries, beyond saying that I am grateful for this opportunity of meeting you, I want to say that in the subject assigned to me there is perhaps a little apparent presumption. I did not intend to give the impression that might be given by this title, that it was the greatest opportunity in the world. I meant the greatest foreign opportunity. Of course I always except the opportunity that there is in our own country, and I think that idea ought to have been conveyed in the title. Also in referring to our greatest foreign opportunity I do not mean to be understood that it is necessarily the greatest field at the present moment, for it is not the market which is consuming the largest portion of our manufactured products at this hour, but it is the one which offers the greatest opportunity of development.

Before I refer specifically to that subject, however, I want to state, as one who has just come from Washington, and who has been watching very closely the discussion upon the tariff bill, that you can imagine how closely the subject comes to me, when hardly an hour has passed during the last two months that some member of the House of Representatives or some senator has not called upon our office for information regarding our trade relations with foreign countries. Inasmuch as nearly half of the foreign countries are comprehended within the jurisdiction of the International Bureau of which I am the head, you can appreciate that there is plenty of work for us to do. Almost every schedule in the great tariff bill that is now under consideration affects, directly or indirectly, each one of these twenty nations to the south of us on the western hemisphere.

There is one thing which I think every manufacturer in this country should consider in the discussion of this tariff bill, and a

¹An address delivered at the annual meeting of the National Association of Manufacturers, and here printed through their courtesy.

thing which I am afraid the majority of our senators and representatives have overlooked. Now I pass no criticism upon any member of the Senate or House of Representatives. The majority of those men are far greater experts on tariff questions than I can ever hope to be, and I do not wish to appear as endeavoring to say anything derogatory of them, or laudatory of myself; but if you will go through all the speeches that have been made so far, and almost all the discussions that have appeared in the newspapers, you will notice that there has been an absolute neglect of the effect the tariff may have upon our export trade. Inasmuch as the tariff regulates imports, the whole of Congress and almost our whole people seem to have forgotten how possibly that tariff bill may be framed in such a way as to injure our export trade. Now when you stop to think that our export trade amounts to more than a billion and a half of dollars a year, and is going on rapidly to the mark of two thousand million dollars, it is of great importance to see that a tariff bill is passed of a kind which will not curtail that export trade, which will not cut it down, but which will build it up. Our country cannot become great as a manufacturing nation, our manufacturers cannot reach the very highest degree of prosperity, unless we consider the export market at the same time that we consider the home market. Of course the home market is the first consideration. There is no argument on my part against that proposition. That is to be conceded; but let us not hold this so near to our eyes that we do not see the export field beyond. When we are putting a duty on anything that comes from a foreign country we are too prone, and it seems to me that in the discussion of this question in Congress they have been too prone, to forget what effect the cutting off of the import trade from that country may have upon our export trade with that country, or what effect it may have upon the manufacturing industries of this country. Now if we are going to become a great exporting country, in competition with Germany, France and Great Britain, we have the absolute necessity before us in framing each schedule of the tariff bill of thinking not only of the question of raising revenue, not only of considering the question of protection, but also of considering whether it is going to hurt our trade with foreign countries, whether it is going to cut off that velvet as it were which comes to the manufacturers of this country from sending abroad nearly two billion dollars' worth of material each year.

When we stop to think that this means twenty-five dollars per head for every one of our people, men, women and children, then it becomes an issue of the highest consideration to all of us. I do not know how many senators and representatives I have talked with on this point, but it seems as if it had been almost entirely forgotten. If there is any one question that comes up in the discussion of a tariff bill before the German Reichstag or before the Parliament of France or the British House of Commons, it is the question of their export trade. That is always discussed there; but in all the discussions of our House of Representatives, in their long debate, not one speech was made, and not one speech has yet been made in the United States Senate, that has given any consideration to the question of protecting and building up our great export trade. Yet all the time our papers are talking about our export trade. They are talking about improving our consular service, about studying how to pack our manufactured goods for foreign shipments, how to get acquainted with the foreign market, how to study their necessities, and yet we are forgetting, or giving very little consideration to, the effect of the pending tariff bill upon our export trade. As I have said, I am not criticising, but simply throwing out the suggestion that the manufacturers of this country should watch the tariff bill, to see whether in the changes of the various schedules there may not be involved the diminishing or absolute cutting off of our trade with certain countries in a way that will bring far more damage, a far greater decrease of revenue to this country, and by revenue I mean the good that comes to all our citizens, than could possibly come under existing conditions. It is of the highest importance that when we are protecting ourselves possibly against another country we should at the same time make sure that we are protecting our export trade to that country and not cutting it off.

Now this comes home to me because it is my privilege to be in the closest touch with every one of these twenty governments south of us. I am in close touch with their foreign offices, with their representative statesmen, and I am watching the great newspapers from Mexico City and Cuba south to Buenos Aires, representing, mind you, a population of 70,000,000 of consuming people, people who should become buyers of our manufactured products; and I find this one thought running through their editorials, running through the speeches of their men in their different congresses that

the United States in framing its tariff bills is always thinking rather of the one question of protection and the one question of revenue, and not how possibly they may hold out the right hand of fellowship to these sister republics and help them to build up their commerce with our country, so that they can buy more from us. That is what we all desire, and, Mr. President, I think one of the strongest arguments in favor of a tariff commission is that such a commission will study carefully the interworkings, the shuttling of trade relations, so that while framing that tariff bill they will frame one that will not only be just to our own institutions, to our own manufacturers, but also just to foreign countries at the same time.

The International Bureau of American Republics, if you remember, was organized about twenty years ago under the splendid leadership and direction of one of the great master minds of our country, James G. Blaine. It was he who first conceived in its fullest strength the necessity of our getting into closer relations with our sister nations. The International Bureau of American Republics was organized to provide information to the people of the United States about Latin-America, and in return to provide information to Latin-America about the United States. The institution had a dignified and honorable existence, but did not accomplish the great work that it was intended for until in a later day another great statesman, Elihu Root, conceived the necessity of getting into closer touch with those countries; and under his help and with the cooperation of all these countries the International Bureau has been reorganized, and now I say, without any reference to my being at the head of it, that it is becoming a world-recognized institution, and I will tell you why. When, two years ago, it was my privilege to take charge of that bureau, the correspondence amounted to not over six hundred letters a month. In the month of April just past the correspondence of the International Bureau of American Republics was greater than that of the State Department at Washington. In addition to our other work we exchanged in April with the rest of the world over four thousand letters. Every State in the Union had correspondence with us, as did every nation upon the western hemisphere, and the majority of the European countries. It is with great pleasure that I state that upon the private tables of a majority of the monarchs of Europe are to be found the Bulletins of the International Bureau of American Republics, and the word

has come to us from nearly every foreign office of Europe that our publications are desired by them as showing what the United States is doing in the development of closer relations with Latin-America.

Our circulation is limited, because we are dependent upon the appropriations of governments; we have no income from advertisements, and we are to-day in the position of not being able to supply twenty-five per cent of the demand for that publication, simply because we have not sufficient copies. We shall have to go before Congress at its next session and ask for an increased appropriation. When I took charge of the bureau two years ago only ten per cent of the members of Congress made any use of the International Bureau. I think last year ninety-seven per cent of the members of the United States Senate and House of Representatives called upon the bureau more than two times, and some of them a score of times, for information and for assistance in securing data that would be a help to them.

Another thing: Whereas two years ago it was comparatively rare that an American manufacturer called upon us for information and data, now there is not a day when we do not receive inquiries from a score of manufacturers and business men in all parts of this country and of the world, asking for information about these sister republics, and what are the opportunities for the development of trade and commerce down there.

Now, my friends, the other day I opened the newspaper "La Prensa," of Buenos Aires, Argentina, which is, with the exception of the "Jornal Do Comercio" of Rio de Janeiro, the greatest newspaper of South America. You have heard of it. It has the finest newspaper plant in all the world. There is no newspaper building in New York or in any city in the United States or in Europe that is equipped so magnificently, so perfectly, in the building and its appurtenances as is the newspaper "La Presna" of Buenos Aires. It has an enormous circulation and a mighty influence. The leading editorial in that paper was to this effect: "Will the United States be selfish, or will it be generous in framing the present tariff bill? Will it frame that bill so that Argentina can sell more of her products in the United States, and in return Argentina can purchase more of the manufactured products of the United States?" Now that is something for us to stop and think of. Argentina has only six million people, and yet last year Argentina bought and sold

more than Japan with her fifty millions of people, or China with her three hundred millions of people. The trade of Argentina last year amounted to nearly \$600,000,000, divided almost equally between imports and exports. And yet when you look over the list of the imports of Argentina, you will find that Great Britain sold to her twice as much as we did, and Germany led us by a good big figure, and yet we sold to Argentina \$35,000,000 worth of our manufactured products. We purchase from her only about thirteen to fifteen millions, and she says: "Give us a chance to sell more to you so that we may not be under the necessity of possibly discriminating against you and buying more from the European countries. Give us a greater market for our natural products, so that we can purchase more from you."

Now here is a cardinal point which every manufacturer understands better than I do: When you ship out of the United States a manufactured product that has required the use of capital, the use of labor, the use of a manufacturing plant and all that it involves, you bring far greater wealth back into the country than when you export a simple natural product, an agricultural product. The more highly manufactured anything is, the more innumerable the processes of manufacture, the greater the wealth that is returned. Now do you stop to think that there is no portion of the world which buys out of the total export of the United States a greater proportion, in ratio to population, of our manufactured products than do the Latin-American republics? The most interesting point about our trade with Latin-America is that those people buy all these manufactured things that embody labor, embody capital, embody great plants, embody great investments, and therefore bring the chief return to us. Our great natural products which bring us the least profit go to Europe in larger quantities. South America will always be a wonderful field for the development and sale of our manufactured products, and that is why I call it to your attention as perhaps our greatest foreign opportunity. Down there they lack the capital, they lack the labor, they lack the fuel which are necessary before they can become great manufacturing countries. There is not a country from Mexico and Cuba south to Argentina and Chile that has sufficient labor. There is not a country down there that has one-fortieth of the capital it needs for the development of its industries. There is not a single country down there that has a

great fuel supply like the United States either of coal or oil, and you know what that means.

In Europe they have any amount of labor; in Europe they have any amount of capital, and in various portions of Europe they have any amount of fuel. In the Orient, in Japan they have labor to burn, so to speak; they have capital, they have fuel. Look at the enormous supply of labor in China. She lacks capital, but she will get it presently, very likely from the European world. She has great coal fields and possibly oil fields. But to the south of us is a mighty country, covering an area of nearly 12,000,000 square miles, three times the area of the United States, having a population of 70,000,000, twenty independent nations whose forms of government are based upon our own, clamoring for our manufactured products if we will only sell them to them under favorable conditions in competition with Europe, if we will show them the consideration in return that Europe is showing them.

Now it is all poppycock talk about the prejudice of Latin-America against the United States. The Latin-American merchant will buy from the United States manufacturer just as quickly as he will buy from the manufacturer of Spain or France, or Germany or Italy, provided you show him a price so that he can buy from you. The only way that sentiment will come in is that if they feel that we are discriminating against them, that we are passing a tariff bill which does not consider their interests, there is danger that their congresses will put an extra tax on such products as are manufactured in the United States, or will frame their schedules in such language that Germany, France, Spain, Italy and Belgium and other countries will have the advantage over us.

Now I consider the interests of the manufacturers. I have always tried to be their friend. That has been my ambition wherever I have been a diplomatic officer during the last fifteen years in different parts of the world. I believe the noblest ambition that any minister who goes out from our country can have is to be a commercial agent of the great manufacturers of our country. I do not believe in this idea that ministers should go abroad just for the purpose of attending social functions, just to entertain. I have no sympathy with that ambassador or minister who writes back and says that the commercial work is entirely in the hands of the consuls, that he knows nothing about it. I have seen the ambas-

sadors and ministers of Germany, France and England acting as the commercial agents of their countries over here, and I want to see every ambassador and minister who goes abroad, even if he goes to a capital where plush pants and knee breeches are the order of the day, I want him to be ready if necessary to put on his overalls in order to find out what a market there is abroad for the manufacturers of the United States. Perhaps the proudest recollection I have of the four or five different posts where I have been minister is that at one time a certain under-official, I will not mention his name, in our State Department a number of years ago mildly censured me because he said I was trespassing upon the duties of the consul, that it would be better if I sent fewer reports in regard to commercial opportunities for our manufacturers. Now of course I had to expect that criticism, but I want you to know that I was proud to receive it. I think that is the only censure I ever received in my diplomatic experience in different parts of the world, and if I should ever be in a position to invite it again, I should be very proud of it. But what I am getting at is this, that the competition to-day is becoming so keen on the part of Europe that we have to realize all these things, and I see it all over South America, all over Latin-America to-day as never before. I can see from the papers that come up from there, I can see from the letters that we are getting, I can see from the stories that the Latin-American ministers themselves are telling me, that there never was a time before when the exporters of Germany, the exporters and manufacturers of France and Belgium and Holland and Spain and Italy and Austria were working as they are now to get such a foothold down there among those countries that we cannot supplant them.

Now please understand me. I do not say this in criticism of Europe. I rather say it to the credit of those countries. I admire the exporters and manufacturers of those countries for doing it. I admire those European governments for backing them up. I admire the European governments because they back up their ministers and their consuls in their efforts to get a fair share of the trade of that part of the world. Now what I want to see is a great public sentiment in this country that will stand back of our government, that will stand back of our manufacturers, so that we shall go into this field realizing that it is worth the effort that we must

put forth in competition with these other countries in order to obtain control of that market. Why, think of it! You say, "Oh, they are dago countries, they are lands of revolution." Now, gentlemen, I for one get out of patience with that suggestion. Just stop and think that three-fourths of the great continent of South America (I am not speaking of all Latin-America, which comprises everything from the Rio Grande and Cuba south to the Straits of Magellan), two-thirds of South America, by which I mean everything south of Panama, has known absolutely no revolution of any kind, shape or form for over fifteen years. Two-thirds of the total population of South America has been absolutely free from revolutionary trouble, and only the other day one of the great financial papers of Berlin called attention to the fact that German investments in South America to-day were returning an average of from two to five per cent more than German investments in the United States, and that they were considered now almost as safe.

Great Britain has three hundred million pounds sterling or one billion five hundred million dollars worth of money invested in Argentina. I do not think there are more than \$20,000,000 or perhaps not more than \$15,000,000 of United States capital invested in that part of the world. When I say that, I do not mean to be thought a fault finder, because I realize that the necessities of our marvelous development and expansion and the building up of our manufacturing plants have absorbed our surplus capital, but I just mention it for the purpose of letting you know that the field is a great one and worthy of study.

A great financial journal of London has made the announcement that after careful study of the field it was convinced that the next twenty years would see two billion dollars invested in South America for the development of its mighty resources. Let us stop and remember that all South America is almost where the United States was seventy years ago in its material development, with a greater population in proportion to area than the United States then had. Think what has come to this country in the last seventy years, and then stop and think what is coming in South America. She has the advantage of the experimenting of all the rest of the world. Where would the United States be to-day if we had known seventy years ago what we know now about material development? South America is profiting by every experiment that the world has

made, and as that country is exploited, as it advances along those lines, it is going to become still more a land of opportunity.

I wish I had time this afternoon to go into the details of this market, but I have not. I am only urging you, in the discussion of greater and more important questions, not to forget entirely this market to the south of us.

Now there are just four things upon which our development of trade with that part of the world depends. I have mentioned one of them: First, right now, is this tariff bill pending in Washington. I have discussed that sufficiently, and have referred to the question of a tariff commission.

The second is the improvement of our shipping facilities. Now I am not going to utter a single word about the so-called ship-subsidy. I am just going to present it in this light: Where would the great cities of our country be, where would our vast commerce in our own country be, if we did not have fast mail, fast express and fast passenger trains? Where would New York, Chicago, St. Louis and San Francisco be if they were dependent upon freight trains alone to carry the mails and carry passengers and carry fast express? The situation with all Latin-America to-day is that we have practically only a freight service on the lines of the seas between here and South America. In other words, we have practically only freight vessels. Now if we are going to find cargoes to fill those vessels, we must have another class of vessels that will carry the letters back and forth between the manufacturers of this country and the importers of that part of the world, that will bring their buyers up here and take our sellers down there, and that will enable us to dispatch our manufactured products down there quickly when they want them dispatched quickly. You have heard me say before that when I was your minister to Argentina I saw more heads of firms in Buenos Aires—a city with a population of 1,200,000, and growing faster than any city in this country except New York and Chicago—I saw more heads of great firms sail from Buenos Aires in one week upon the fast, commodious and beautiful vessels of the European lines, to buy goods in Europe, than came to the United States in a whole year upon the kind of steamers that come to this land. When I asked them the reason they said: "If you will put the same kind of ships on the line from Buenos Aires up to New York, we will go there." In Rio Janeiro more

merchants went over to France and England on one steamer than came to the United States in seven months upon the vessels running from Rio Janeiro to the United States. Time and time again the head of a great firm in Buenos Aires would walk into my office and lay before me a correspondence with a manufacturer in Germany and a correspondence with a manufacturer in the United States. His letter had gone to Germany and the answer was half way back to Buenos Aires before the letter to the American manufacturer had reached its destination. You have to carry the mails quickly between New York and Buenos Aires and Montevideo and Rio Janeiro, just as you must carry them quickly between New York and Chicago. Now you may call it a subvention, you may call it a subsidy. I do not care what you call it. We must have it if we are going to stand the competition with these other countries.

I want to go just as far to say that I would pay money to a steamship company flying a foreign flag, if we can only have the service; and I want to say right here that it is splendidly to the credit of one European company that it has just placed on the line from New York south to Buenos Aires a magnificent new vessel of 12,500 tons, that has passenger accommodations which the most luxurious manufacturer in this country could desire. In other words, ships belonging to England are coming right over here under our own noses and teaching us how to build up trade with South America. I say shame on us, when we tamely allow foreign countries to take the hazard of providing the conditions necessary to build up our trade, and are not willing to do anything for ourselves.

The third condition is this, the establishment of better banking relations. I think I can say with confidence that we are on the verge of getting that great change. For over two years I have been laboring uphill and downhill with the great bankers and financiers of this city and this country to have them establish here in New York City a great Latin-American or Pan-American bank, with branches in Rio Janeiro, in Montevideo, in Buenos Aires, in Santiago, in Lima, in Bogota, in Quito and other places, and I believe that within another year you will see this great change come about. When you tell me it cannot succeed, I say how is it then that the great banking interests of Great Britain, Germany and France have

succeeded all over that part of the world. Hardly a week passes that some manufacturer, some business man, does not write to me saying: "Is there an American bank in this or that city through whom we can operate for the establishment of an agency and find out what are the trade conditions in that part of the world?" You have got to have banks controlled by American capital, and having the interests of our country at stake to build up our trade, just as much as you must have banks in every city and town of importance in this country. It is a plain A B C question.

Now I might go on and call your attention to other points, but I simply want to say this in conclusion, that the International Bureau of American Republics is proud of the interest that the National Association of Manufacturers has taken in it. More than once I think you have passed some kind of a resolution approving of its labors. We want to be of use to you. We want you to be of use to us. I want to see you solve these other great problems of labor and of industrial education. Let me say on that point that only the other day one of the great South American countries through its interior department sent me a long cablegram asking me to send them all the data I could about industrial education in the United States. And with your permission, Mr. President, I am going to send a copy of this report, and I shall be glad to forward anything further that may come from you along that line. South America is awakening to the necessity of industrial education, and to all these questions that you are discussing. I want you to remember that the International Bureau of American Republics is not an ornamental institution any longer. It is a useful institution. It wants to co-operate with you and it wants your support.

THE YELLOW PINE SITUATION¹

By C. D. JOHNSON,
Frost-Johnson Lumber Co., St. Louis, Mo.

It must be evident to everyone here who has kept pace with affairs, even if only casually, that this broad and wealthy land of ours has never seen a year of greater material prosperity than the present one. Abundance and wealth are to be found everywhere. Essentially an agricultural country, the basis of its prosperity is, and doubtless always will be, the products of its soil. Recent reports issued by the government show that this year's increase in the combined yield of the five leading cereals, viz., corn, wheat, oats, barley and rye, amounts to approximately 540,000,000 bushels over last year. The yield per acre and the quality of the crops are better in all cereal growing states than they have been for several years, and everywhere do they exceed the ten-year average.

But prosperity is noticeable also in other directions—the healthy condition of the iron and steel industry, for instance, which in volume of business and earnings bids well to equal, if not eclipse, 1907, the best year in its history; and of the railroads as evidenced by their heavy expenditures month after month for maintenance, structures and equipment—expenditures far in excess of those made in the last several years. The reports of railroad earnings are highly satisfactory, and in the daily press now one can read nearly every day of large orders being placed for rails, engines and cars. Factories, foundries and mills everywhere, hitherto running indifferently, have resumed normal operations as a direct or indirect result of the country's abundance. Finances are in a good way and money is exceedingly cheap and plentiful. The tendency to harass large corporations with adverse legislation seems to have passed, and there are no momentous political questions to disturb the present satisfactory pose of business; the tariff is settled and out of the way and will remain out of the way for the next ten or twelve years; everybody seems to be satisfied with the sched-

¹Reprinted from the St. Louis "Lumberman," September 15, 1909.

ules adopted and by this time the subject has almost ceased to be a topic of current discussion.

Average Business But Unsatisfactory Price

Under conditions so prosperous there is bound to be an average amount of business transacted in the United States, and naturally, there must be at least an average amount of lumber used. But what do we find? Instead of marketing our product with the ease warranted by the prevailing normal and healthy condition of business and at a price that will net us a fair return on our investments, we are now and for the last two years have been, selling the products of our forests at an appallingly demoralized price—a price wholly unprofitable. There are, of course, reasons for this. But it does seem strange that a business the size of ours, ranking as it does, fourth among the industries of the country, it does seem strange that it alone, amid all this general prosperity, should continue in its demoralization and with such scant hope of improvement. There are only two other industries that occupy about the same unenviable position, namely, the coal mining and cement industries, and it is interesting to note that in each case the same basic principle is involved.

Each succeeding year brings an increase in the crops of the country and each succeeding year brings also an increase in prices for farm products. At no time in the business history of the country has the farmer received more for his crops and his live stock than he is receiving to-day. His wealth and the purchasing power of his products have multiplied amazingly in the last ten or fifteen years. The following story which I saw in a western newspaper recently, strikingly illustrates this fact: A farmer bought a wagon in 1894 for \$60.00. Recently he needed a new wagon and went to the same dealer, who priced him the same kind of a wagon at \$70.00. The farmer objected to the extra \$10.00 and demanded a reason. The merchant reflected a moment and then said he would sell him on the same terms as the first one. "You paid for the one you bought in '94 in corn, and if I remember correctly, you brought me 600 bushels of corn at ten cents a bushel. Now, you bring me 600 bushels of corn." "Well, say, hold on," began the farmer. "But," interrupted the dealer, "your wife can select a \$125.00 surrey; you can have the best self-binder in the store,

worth \$125.00, then you can have an \$80.00 kitchen range and \$20.00 worth of kitchen furniture, all for 600 bushels of corn. The wagon at \$70.00 and the other items foot up to \$420.00. Six hundred bushels of corn at seventy cents a bushel amount to \$420.00." The farmer was stunned, and without saying another word about monopolies or the tariff, counted out \$70.00 for the wagon. The value of the farmer's corn increased seven-fold in fifteen years, but how has the lumberman's product fared in the same period, and why?

Fundamental Law of Trade Involved

I think we all know and understand the one and the only cause for the impotent condition of our business, a cause so essential that it is of itself sufficient. In a word, the difficulty involves directly the fundamental law of trade—the law of supply and demand as applied to the lumber industry. There is, and has for several years been, an over-production, and lumbermen have not yet learned to fit their output to the demands and needs of the country. The manufacturers in the South fixed their capacity under the extremely prosperous conditions that prevailed two or three years ago—conditions that in all probability we cannot expect again in this country for a long time to come.

Good times have come, but the present prosperity is normal. I use the word "normal" in a comparative sense, having in mind the almost unnaturally flourishing conditions a few years since. It will be some time before users of material, purchasers of equipment, constructors of railroads, and builders of various kinds of enterprises will expand their business to the extent they did in the years 1905, 1906 and 1907. There is everywhere a greater conservatism in business to-day, a tendency to stay closer to shore. The financial upheaval of the latter part of 1907 has made the general business public apprehensive and afraid of owing too much money. The consumption of lumber is directly affected after such conditions. The country's wealth increases; economic conditions are stable; business generally is good; the demand for lumber in conformity with all of these, is average, no more nor less than it can reasonably be expected to be, while the production of lumber, fixed at a time of extraordinary demand, continues at the same enormous rate. In other words, the manufacturer right now is

capable of making more lumber than the country can use, and he is making it.

The extent to which the consumption of lumber has been affected in recent years by revolutionary methods of building has not, I think, been given the serious consideration it deserves, in fact, it seems to me that manufacturers of lumber have never looked upon the subject as one of any particular importance. In connection with the question of production, however, it is becoming a factor of such significance that it cannot much longer be overlooked. The tendency in all branches of construction and in most lines of manufacture is to find substitutes for wood. Concrete and steel are coming more and more into use every year, taking the place, wholly or in part, that which has heretofore called for lumber.

Substitutes for Lumber

Nearly all modern freight cars are being built with steel under frames, gondolas and coal cars being made entirely of steel. The new passenger equipment now being built for many of our largest railways is entirely of steel construction. Bridges heretofore built entirely of timbers are now being made of concrete, and depot platforms are being constructed of gravel or concrete. The largest street car plant in the country, located in St. Louis, has recently begun building street cars of steel construction throughout, except the floors, which are concrete. A large box manufacturer recently made the statement that boxes made of wood pulp are eliminating the use of six million feet of lumber every year in the city of Chicago alone.

Five or six years ago large buildings* of the slow combustion type called for from one to five million feet of timbers and factory flooring each. All such structures are now being built of reinforced concrete. Treated pine pole ties and ties made of inferior species of various woods are being used to such an extent by the railroads in recent years that the use of sawn pine ties is decreasing at a surprising rate. While not, in fact, a substitute, the use of such treated ties has the same effect as a substitute, considering that most of the inferior woods of which these ties are made had little or no commercial value until so used.

It is only natural that when the demand for such material ceases, the mills that formerly catered to that class of trade will

turn their attention to the manufacture of yard stock. The advent of the steel freight car dispenses with the use of car sills, and the sills made hereafter will be used only in repairing old cars. There is no way of arriving at the actual amount of lumber that these various substitutes are replacing, but it must surely run into the hundreds of millions of feet per annum. I do not mean to convey by this that I think less lumber will be consumed hereafter; on the contrary, I think the country will use as much as it ever has, but there can be no doubt that the per capita consumption on account of these substitutes will be less. However, the point I wish to make is this: When the customary uses for a commercial wood of any species or for lumber of any kind fall off or cease altogether, the manufacturer of that kind of lumber will naturally be compelled to divert his product into other channels—another tendency to overproduction. During these times of revolutionary building methods, and while the production of yard stock is thus constantly increasing, it is going to be necessary for us all to go a little easy so as to allow the general output of lumber to fit and adjust itself to the requirements and demands of the country as we now find them.

Overproduction the Problem

But no matter what the reasons, we find that overproduction exists as the one condition with which we must cope if we expect to ever attain prosperity in our business. We cannot look for a remedy in the demand, for the reason that it will be many years until the country will have grown to the point where it can consume under normal conditions the amount of lumber that the mills in the South are capable of producing to-day. I firmly believe that if the manufacturers would operate their plants to their fullest capacity for eight months, they could produce as much lumber in that time as the country would use in a year. It is, therefore, clearly to the best interests of the entire industry if each and every manufacturer will, for himself and in his own way, reduce his output to conform to the demand. For the past two years the average price of lumber has hovered around \$12.00 per thousand. Let us take, for example, a manufacturer producing 20,000,000 feet a year and consider his interests under a policy of curtailment should he consider the advisability of making less lumber. At the prevailing price of \$12.00 during the past two

years, he would receive for his annual cut of 20,000,000 feet, \$240,000.00. Let us say that this manufacturer decides to make 30 per cent less lumber, or 14,000,000 feet instead of 20,000,000. Under a curtailment to that extent, if generally applied throughout the lumber producing territory, lumber would, without difficulty, bring an average price of \$17.00 per thousand. At \$17.00, then, this manufacturer would receive just as much money for his 14,000,000 feet (\$240,000.00), as 20,000,000 feet would have netted him at \$12.00. Besides, he has 6,000,000 feet more standing timber left in his forests than he would otherwise have had.

Comparison of Costs

Against this, some one will, no doubt, advance the argument that under curtailment it costs more per thousand feet to produce lumber, for the reason that the fixed charges remain practically the same as when running full time. That is true. But let us see how it works out in the operations of the manufacture we have taken as an illustration. With an output of 20,000,000 feet per annum let us say that the cost of labor in the production of this lumber amounts to \$6.00 per thousand, and we will grant that labor will cost him \$7.00 per thousand while making only 14,000,000 feet. But, it must be remembered, he is making 6,000,000 feet less lumber, which at the cost of \$6.00 per thousand for labor, saves him on his pay rolls \$36,000.00 by the end of the year. Now, then, since the cost of his labor while producing only 14,000,000 feet has increased \$1.00 per thousand, he loses on that account \$14,000.00 on his year's cut; but even so, this loss being offset by the \$36,000.00 which he saved on his pay rolls by reason of having made 6,000,000 feet less lumber, still leaves him \$22,000.00 ahead; that is, he has saved himself the outlay of that much money on labor. Besides he has standing in his forests the 6,000,000 feet of timber that he has saved. This, at \$4.00 per thousand—which it would cost to replace it—would amount to \$24,000.00. Thus, it can be seen that the total saving—on labor \$22,000.00 and on timber \$24,000.00—would be \$46,000.00 on his year's operations. But the point is this: He has received just as much money, gross, for the 14,000,000 feet as 20,000,000 feet would have brought him, and, besides, he has done a profitable business.

Instead of cramming every log through the saws that he pos-

sibly could, he has taken his time and made the most of his raw material, using the logs in the tree tops and the defective timber which, at the price of \$12.00, he could possibly not afford to bring in from the woods. One of the greatest public concerns of the day, local and national, is the conservation of the forests. With as many saw mills in operation as there are, there can possibly be no better way of conserving the forests than to use every tree and every log of merchantable size in them; that is, to utilize all of the timber and not waste any of it. But it is impossible to conceive how our forests can be conserved if the production of lumber is so great and the market, as a result, so unprofitable that nothing but the choicest timber can be used and the balance left to waste.

HOSIERY MANUFACTURE IN THE UNITED STATES

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In discussing the present conditions confronting the hosiery manufacturers of America, it will prove of value first to ascertain the growth and extent of the industry. The manufacture of hosiery in the United States is a comparatively new industry, although foreign machinery was introduced many years ago, by which a few pioneers were enabled to conduct a very profitable business in certain classes of hosiery that were not imported from abroad, and which by its peculiar manufacture, appealed particularly to the American trade. The invention of knitting machinery by American interests naturally caused an increased number of persons to engage in the business. During the past ten years especially, the increased manufacture of knitting machinery and the production of American made hosiery have made very rapid strides. To-day there are 600 hosiery manufacturers in the United States, representing a capital of \$70,000,000; employing nearly 100,000 persons and are doing in the aggregate an annual business of \$80,000,000.

Naturally the large number of persons who embarked in the hosiery manufacturing business brought about competitive conditions, which have reduced the margins of profit to a very staple basis, particularly on the class of goods manufactured only in America, and which do not come into competition with foreign made goods. To avoid this excessive competition, American knitters have gradually built or imported new and improved machinery, making a different class of goods from that which had been previously produced in this country and which were quite similar to the goods imported from abroad.

The marked difference in wages paid by American manufacturers in comparison with those paid by foreign producers neces-

sitated tariff protection; but during some periods it was not sufficient to afford adequate protection. The American knitters, previous to the adoption of the Dingley bill, were very much handicapped in this direction, but during practically the entire life of that bill they prospered until the adoption and promulgation of the German-American agreement, which went in force July 1, 1907. The direct and indirect effects of that agreement resulted in the enforced curtailment and idleness of at least fifty per cent of the capital and labor represented by the manufacturers making competitive goods with foreign manufacturers. While not fifty per cent of the United States consumption was imported, nevertheless the granting to German manufacturers of the privilege to export goods to the United States under-valued, demoralized conditions in America.

The American manufacturers soon realized their inability to compete with Germany under such adverse conditions, and steps were promptly taken, either to secure the annulment of the agreement, or else to work for such revision of tariff as might make that or any other agreement null and void. Pending the adjustment of these questions, which embraced practically two years, during which time the recent panic developed, the American hosiery manufacturing business was in a very unprofitable and demoralized condition. American manufacturers could not possibly retain their help on the wage scale prevailing and maintain their organization in competition with foreign manufacturers. This resulted in the closing of many mills and decreased production in practically all others.

In considering the necessity for higher tariff protection than that afforded by the Dingley bill, it must be realized that labor constitutes a very large proportion of the hosiery manufacturers' cost of production, both in the type of the goods, peculiar to the American production—seamless hosiery—as well as in that kind hitherto exclusively imported from abroad, and which has only recently been produced to any extent in America—full fashioned or shaped. Both classes are made upon knitting machines, but under different conditions and requiring different machinery. The seamless goods are known as cheap stockings, while the latter are more expensive. In estimating the German wages at about thirty per cent of American wages all official and unofficial reports

available, as well as a large quantity of confidential figures from a number of responsible and reliable sources have been considered. A fair comparison will show the average weekly wages paid in the German hosiery mills to be somewhat less than thirty per cent of wages paid in American hosiery mills.

It is impossible to go further into detail and compare prices paid for piecework, as the different operations in the mill are divided up and grouped together differently in Germany from this country, making a flat comparison of rates practically impossible. A large percentage of German hosiery exported to this country is the product of the so-called "cottage industry" in the villages around Chemnitz. In the "cottage industry" the manufacturer leases machines to individual operators, who work them in their homes and who are often assisted by each member of the family. The wages paid under this arrangement are incredibly low, even for Germany. There are no restrictions as to hours of labor and age of the workers. In figuring the comparative costs of production, however, the "cottage industry" feature of German hosiery manufacturing has not been taken into consideration, but the calculation has been based on the average wages paid in the factories in the Chemnitz district.

When the tariff of 1897 went into operation the hosiery industry was suffering from the baneful effects of the Wilson tariff bill. Wages were low and each and every item entering the cost of manufacturing cotton hosiery was cheap. The rates given in the tariff of 1897, notwithstanding the low wages and cheap materials, barely afforded sufficient protection to the wage earners as against the cheap labor of Germany, the principal nation engaged in the exportation of cotton hosiery.

With the constantly increasing cost of living during the past ten years in this country, labor has demanded and has received material increases in wages, so that to-day wages paid the operatives in cotton hosiery mills are fully twenty-five per cent higher than eleven years ago.

This increase in wages paid the work people, coupled with large increases in the price of materials necessary to manufacture cotton hosiery and to put it into marketable condition, has placed American hosiery manufacturers in a serious position, making it impossible for them to continue the operation of their plants under

the conditions of the Dingley act. Under it they were confronted with this proposition: Either they must receive more protection, measuring fully the differential between the cost of manufacturing abroad and the cost of manufacturing in this country, or else they must reduce wages, which are none too high when the cost of living is taken fully into consideration.

A careful census of the hosiery mills of this country showed the desperate condition of this craft; almost without exception, a week not exceeding four days prevailed, and in many cases three days a week was the true state of affairs. The serious necessities of the industry were due entirely to the low cost of labor and materials in Germany, the keenest competitor for American cotton-hosiery trade.

During the eleven years of the tariff of 1897 we find after a careful investigation that the weekly wage of the German hosiery operatives for the same class of work was in reality lowered, and that to-day they are receiving less remuneration for making fine qualities in hosiery than they did eleven years ago on the coarsest numbers.

Last summer the German manufacturers forced a strike, and after a lockout of some four weeks the work people succumbed and accepted a reduction aggregating about twenty-five per cent of the wages they had been receiving, and the result is the German manufacturers are on a lower basis of cost than ever before, thus enabling them to sell goods to this country at prices in marks and pfennigs thirty-three and one-third per cent cheaper than the lowest price quoted in the past for the same article.

There has always been more or less undervaluation, notwithstanding the best efforts of the local appraisers to prevent them, but to-day the German manufacturers, through a system of averaging their selling prices, have brought it to apparent perfection. It is a well-known fact, which every buyer who visits Chemnitz will admit if he is so disposed, that German manufacturers freely and unblushingly have offered certain quantities of merchandise worth \$1.25 at \$1.00, thus paying a duty of fifteen per cent ad valorem and fifty cents per dozen pairs specific, the duty under the Dingley tariff, whereas if sold at their real value they would pay a duty of fifteen per cent ad valorem and sixty cents per dozen pairs specific; provided certain other quantities of better goods are pur-

chased at \$1.50 and \$2.00 per dozen, the German manufacturer making sufficient profit on the quantities sold at \$1.50 and \$2.00, respectively, to average him a satisfactory profit on the whole purchase. If asked for a price on each article separately he declines, saying that he is forced to sell all in conjunction in order properly to distribute the business on the various classes of machinery he is operating; thus keeping the proper balance in his plant—certainly an ingenious explanation, to say the least. Through this operation it has been almost impossible for the local appraisers to establish and levy the duty on the actual market value, the value being so adroitly suppressed.

It is a well-known fact, common knowledge amongst reputable and honorable importers of hosiery, that many German manufacturers felt that evasion of American tariff laws was justified by the fact that it is no offense against German laws to offer unscrupulous importers merchandise the actual market value of which is \$1.15 on the following basis: \$1.00 to be paid by invoice and fifteen cents in cash, through the buyer's German agent. By this process the dishonest American buyer has an advantage over the honest importer of ten cents per dozen in the duty; the American wage-earner receives less protection than Congress intended he should have.

Much study has been given to the evasion of the tariff laws, and the only effective method to remedy it is to arrange the schedules so that the cost of cotton hosiery, duties paid and landed, in this country will be such as to make such practices uninteresting.

The cotton-hosiery industry of this country is in the hands of some five hundred separate and distinct manufacturers located in some thirty states. It is thoroughly competitive. No trusts in the craft exist and a gentleman's agreement, so called, is unknown. Competition in the hosiery industry is keen and the margins of profit small. On account of the great number of manufacturers the competition amongst them for the best help is sharp. Wages are high, and the operatives will compare with any in intelligence. The cost of equipment of an American hosiery mill is double that of a German hosiery mill.

Heretofore attention has been paid only to the low cost of manufacturing cotton hosiery in Germany, which has been the principal exporting nation of this commodity. Attention, however, should be called to the conditions of cotton hosiery manufacturing

in Japan. Within the past five years the Japanese have been rapidly erecting hosiery mills, which they have operated most successfully; up to the present time they have confined themselves chiefly to supplying the needs of their own home market and that of China and India.

The recovery from the recent panic conditions which have prevailed has been very slow, not only with manufacturers who come in competition with foreign made goods, but also among those who make the cheap hosiery which was not affected by the foreign importations. It has been difficult for many to understand this slow return of prosperity, particularly to this latter class of manufacturers, but it is generally conceded that the abnormal purchases by the large jobbing interests just prior to the panic, resulted in abnormal stocks, not only in their hands, but also among retailers. The distribution and sale of these surplus stocks required more time than the most conservative manufacturers estimated, many of whom had run their mills continuously during the depression and had accumulated large stocks for which no orders were on hand or forthcoming. In the course of time these manufacturers found it necessary to raise cash on their stocks, not only to provide for operating expenses for the future but frequently to reduce indebtedness to their banks. In going out on the market to sell the goods, buyers were few and prices were repeatedly cut before sales were effected.

The jobbers who were gradually coming into the market for goods realized the existing conditions and by shopping around and "bearing" the market they were enabled to purchase their requirements not only much under the market price but frequently below the cost of manufacture. Jobbers not actually in need of goods feared to place their orders, thinking that prices would be cut even further and thus place the hosiery manufacturer in a most unenviable position. Fortunately the yarn market showed an upward movement and manufacturers who had not covered their reasonable requirements were compelled to increase their prices to cover the increased cost of raw material. The jobbers soon realized this upward tendency and showed a more willing spirit to contract for their present and future requirements, and prosperous conditions as a result began to materialize. The tariff agitation and the likelihood that the old Dingley rates would be increased in the

new Payne bill was another incentive for activity among the buyers, resulting in an increased operation among the mills.

After the Payne bill, which gave the hosiery manufacturers the additional protection desired, became a law, it was supposed by some that the hosiery manufacturing business would realize a marked impetus, but such has not been the case, for the reason that the importers fearing the increased duties in the Payne bill, had been exceedingly busy getting in goods from abroad under the old prices and protection. The accumulated importations of the better class of goods were enormous and it will yet require many months to relieve the market of this surplus, pending which time the American hosiery manufacturers must curtail to a great extent their aggregate production.

Naturally, it may be asked, now that additional tariff protection has been afforded the American manufacturer, will he be able to do an export business? It can be said definitely that the exportation of American-made hosiery is both impracticable and unprofitable in view of the fact that Germany is seeking other outlets for its production and Japan is striving for recognition as a textile manufacturing nation. The low wage scale prevailing in Germany is large in comparison to that which prevails in Japan, and America has much to fear from that nation even under the additional protection afforded in the Payne bill.

The outlook for the American hosiery manufacturer is bright, provided the present Payne rates prevail, but the agitation of the tariff question, whether referring particularly to the hosiery industry or otherwise would unquestionably prove disastrous and might bring about the conditions which have prevailed during the last two years. Even with the protection afforded by the Payne bill, the American manufacturers are only placed on a competitive basis with Germany. There is no opportunity whatsoever for the manufacturers to increase prices yielding them unusual profits. Owing to the large number of concerns manufacturing knitting machinery, its cheap cost, facilities for installation, quickness of operatives to learn the technical processes and the small amount of capital required to operate the business, a so-called hosiery trust is an impossibility. The diversity of goods manufactured is such as to make uniform prices impossible. The raw material also constitutes a large part of hosiery values, and under the fluctuating conditions

that have always prevailed, it is generally and correctly considered, that even communitive interests, as existing in other industries are impossible; consequently each manufacturer must stand on his own feet. Upon the knowledge of the business depends his success. In the business of manufacturing hosiery, it is a case of "the survival of the fittest."

THE MARKET FOR LOCOMOTIVES

BY ALBA B. JOHNSON,

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During the summer of 1907, there were plenty of indications of the approaching financial storm, which, during the following autumn, swept over the country and affected the greater part of the civilized world. Manufacturers who, in obedience to the imperative law of demand, had been enlarging their plants, had generally completed the extensions and were waiting to realize the profits to be derived from operations upon the larger scale. For several years most manufacturers had been working under the inconvenience caused by simultaneous pressure of orders and disturbance incident to reconstruction. This is always costly, and it was reasonable to suppose that the reconstruction being over, a breathing spell would follow when business could be systematized, and enlarged profits reaped. These hopes, however, were not realized. Notwithstanding large investments in labor-saving machinery and improved appliances, the costs of labor and administration constantly mounted higher, so that when the accounting was reached, profits were found to be lower rather than higher. Many manufacturers discovered that the largest gross business ever done in one year, had produced little more if as much net profit as had been realized in lean years. This may partly be explained by the extraordinary advance in the rates of interest charged by lenders for the use of money, which was due to the fact that the expansion, both of legitimate business and of speculation, had become so great as to demand more than the world's available capital. The wages of labor continued to advance because the cost of living constantly increased, and, the two being interdependent, the cost of living advanced because wages form an important part of the cost of every necessary of life. There appeared to be no end to the operation of this tendency, except eventual panic. Furthermore, there was great cause for concern in the adverse public opinion, reflected in the hostile attitude of legislatures towards the railroads. This manifested itself in the passage of numerous laws increasing the taxa-

tion of railroads, limiting fares, and interfering with the discretion of railroad managers in the administration of their properties. That much of this legislation was clearly unconstitutional, and must surely be set aside by the courts, scarcely checked the lawmakers. The national administration not only shared this hostility, but set the example to the states.

The prosperity which the country was enjoying had such momentum that it was some time before these powerful causes produced their inevitable results. The railroads stopped work wherever possible on track construction or improvements, and made few contracts for new equipment. Locomotive car builders and other manufacturers ceased placing orders for machine tools. Whilst this was the condition of affairs, the confiscatory decision of Judge Landis was rendered against the Standard Oil Company. This was interpreted at home and abroad as an indication, subject of course to further legal developments, that the money of investors in the securities of large corporations no longer enjoyed the traditional protection of the courts, and that judicial decisions affecting corporations, were to be based upon a presumption of guilt rather than of innocence.

The result of these several causes was that by the beginning of 1908, makers of railway equipment, who had been exhausting their ingenuity to increase production, found themselves without orders. The building-up process had to be reversed, organizations had to be reduced, and the severest economies had to be inaugurated. The rapidity with which this occurred, is shown by the following figures which represent the percentages of the monthly payroll of one of the largest single establishments engaged in the manufacture of railway material:

	Per cent.
October, 1907	100
November, 1907	91
December, 1907	92
January, 1908	56
February, 1908	22
March, 1908	24
April, 1908	20
May, 1908	15

The number of employees fell in like ratio, from 100 per cent in September, to 95 per cent in October, 90 per cent in November, (548)

81 per cent in December, 70 per cent in January, 43 per cent in February, 32 per cent in March, 25 per cent in April. Nor did even this rapid decrease in the number employed, fully represent the stringency of the situation, for the average earnings per man weekly, fell from \$14.22 in November to \$8.40 in May. Taking the average of monthly sales during 1907 as 100 per cent, the business of the whole year 1908 averaged but 19 $\frac{7}{8}$ per cent, that of the first three months of 1909, 25 per cent, and that of the second three months of 1909, 24 $\frac{3}{4}$ per cent. This prostration affected to pretty much the same degree, every branch of manufacture dependent solely upon railways, and there were few which did not suffer a reduction of business ranging from fifty to seventy-five per cent. The past two years have therefore been years of great hardship to all industries dependent upon railway business, and fortunate indeed have been the concerns which have succeeded in showing any balance, however small, upon the profit side of their ledgers.

Amongst the causes which contributed to the depression, were the approaching presidential election of 1908, and the declaration of both the great political parties in favor of a revision of the tariff. The election of President Taft removed one disturbing element, and the general belief in his ability and conservatism, was an active element in the restoration of confidence. The long and painful deliberations of Congress over tariff revision during the spring and summer of the present year, not only depressed business, but effectually convinced the country that a more scientific method of tariff building should be found. When the tariff bill was finally passed, the effect was immediately felt. The railways began placing contracts for locomotives, cars and rails. No doubt the promise of abundant crops had much to do with this. Nevertheless, however great the need for equipment may have been, and however little it was really affected by tariff legislation, the railroads did not begin to place contracts until the tariff question had been settled. The idle cars which, at the beginning of 1908, had exceeded 400,000, have now practically disappeared, those remaining being fully accounted for by the fact that there may always be an excess of cars of particular types, notwithstanding that there may be a scarcity of other types, and also by the fact that the statistics include cars of obsolete pattern awaiting sale or demolition. The car surplus, which for two years has been one of the gauges of business depression,

is therefore at an end, whilst the large contracts for cars which have been placed, indicate conclusively that the railroads are now guarding against the possibility of a future shortage.

Simultaneously with the increase of railroad traffic and the consequent disappearance of the car shortage, rates for bank loans began to stiffen, and from three and a half per cent for gilt-edge paper, rates have advanced to from five to six per cent, according to the grade of credit of the borrower. This is due to three causes, all indicative of returning prosperity, viz., increased speculation in securities, due to confidence that the future has larger earnings in store; money to move the crops resulting from abundant harvests; and increased money needed by manufacturers and merchants, because they are called upon to finance an increased and increasing volume of business. Furthermore, the stream of investment which has been checked during the past two years, appears to be breaking over the barriers of distrust, and to be starting afresh upon the undertaking of new projects and the extension or development of old ones.

Previous business depressions have generally been local. The depression which followed the Baring failure of 1893, was the first which seemed to affect all countries alike. The increase in commerce between the countries, and the constant interchange of intelligence, have caused business depressions to be more widespread in their effects. Perhaps Canada, South America and Australia are less affected by business conditions in America than are other countries, but the United States has grown to be so great a factor in the world's commerce, that depression here affects both Europe and Asia, and to some degree the commercial world. Therefore, as the lessening of demand was general, so the consequent business depression affected all manufacturing countries, Germany, England and France sharing, though perhaps to a less degree, the depression existing in America.

International competition in railway materials has constantly strengthened during recent years. This is due to the consolidation of groups of works respectively in the United States and in England, and to the strong government support which has been given to German manufacturers. German diplomacy constitutes a powerful sales organization for German manufacturers. In consequence thereof, German competition has become an important factor in South America, and to some extent throughout the British

colonies. The English government and English boards of control, whilst nominally adhering to the free trade principles of Cobden, have met German trade aggression by adopting the principle that British money must be expended to support British industry. Therefore, there has been an increasing reluctance on the part of English buyers, whether governmental or private, to admit foreigners of any nationality to competition for British contracts for railway material whether for use at home or abroad. The growth of a national consciousness in other countries, as for instance, Norway, Italy, and Australia, has led to the fostering of home manufactures to such an extent that the purchases of these countries abroad, have been either greatly reduced or altogether discontinued. These several causes have combined to increase the difficulty of securing a large foreign trade for American manufacturers, and the keenness of competition has been such as to bring prices to the lowest possible point. Especially has this been true in China, which is the commercial battleground of the world, all nations meeting in competition there upon an equal footing. Nevertheless there is a constantly increasing preference for American locomotives wherever they are once used. Unless kept out by the prejudices of officials educated abroad to prefer other equipment, or unless debarred by foreign financial interests, American locomotives and railway material are not only holding their own, but are creating new markets for themselves.

The present outlook for the future is bright. Not only have the disturbing elements of two years ago disappeared, but all classes of business men look with confidence to the future. At the present time the volume of manufacturing in the line of railway equipment, has increased from about twenty per cent to fifty-five or sixty per cent of the high-water mark of 1907, whilst in other lines of business which did not suffer so heavy a reduction, the percentage is no doubt higher. The volume of railway traffic is in some instances unprecedented, and the average is close to the maximum figures of previous years. The predictions of Mr. James J. Hill are likely to be fully realized, that for many years to come American manufacturers will be fully employed in providing the rails, the cars and the locomotives required for the necessary reconstruction and extension of our railways, to keep pace with the growth of population and the development of the country.

AUTOMOBILE SALES AND THE PANIC

BY DAVID M. PARRY,
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Far better is it in these days to be preachers of prosperity than howlers of calamity. Confidence, faith and courage move the world; distrust, unbelief and timidity throttle action in its inception. The psychic side of industry is a subject little considered, but there is no question that the sanguine American temperament is a basic cause for our marvelous productive power. We have boundless natural resources and the highest developed institutions of freedom, but we also have a nation of men imbued with the spirit that conquers. It is the energy of hope, not the inertia of despair that furnishes the key-note of our national life.

Still there are some among us who are social hypochondriacs. Their minds dwell on social ills, diagnosing symptoms of disease where few or none exist, and their voices have acquired a habit of direful prophecy. These are the men without faith, to whom the future is always dark and fearful. Often cheerful enough in the ordinary ways of life, in their capacity as independent American citizens they are confirmed misanthropes. For them I know of but one cure that might prove efficacious and that is the Christian Science treatment of mental suggestion. For, as Shakespeare has somewhere said, the earth is a heaven or hell as thinking makes it so. President Taft has recently been applying a little of this thought cure. He has been telling the country that prosperity is not merely on the way but is actually here. The social hypochondriacs may be inclined to ascribe his announcement to political license which may make some kinds of romancing pardonable, but facts do not support their contention.

In the automobile industry about which I am requested to write there has been no such word as panic. It may at first seem hardly fair to cite this industry as proof of general good times, but I think on consideration it will be seen that there is much that can be said on this line. In 1909 there were 100,000 automobiles manufactured and sold, and in 1910 there will be 200,000 manu-

factured and sold. This is a remarkable increase. This means that two or three hundred million dollars were put into automobiles just when it was supposed the country was on the ragged edge of bankruptcy. Was it reckless folly or were the times better than some believed? I am inclined to think that it was not such a bad panic after all, that in fact as a nation we were more scared than hurt.

It must be remembered that prosperity and depression are relative terms, that what may be regarded as good times in one decade may be set down as bad times in another. There were no soup houses or Coxey armies in our late experience. There was no overproduction of manufactured goods, no unsalable surplus of farm products. Neither was there anything else organically the matter with the country—no war, pestilence or famine. The let-up in activity was principally to be attributed to psychological reasons, to a wave of conservatism or caution which was partially a natural reaction from extraordinary activity and partially the result of distrust because of over-speculation, strained credit and the demagogical crusade against the railroads and other corporations. Liquidation has cleared the skies, the public enemies of capital have taken to the woods and the tariff is laid on the shelf. The basic conditions being good and there being no longer grounds for distrust we have but to make up our minds that prosperity is here again to have it in fuller swing than ever before.

The sale of so many automobiles proves that there is a wide diffusion of wealth in this country and that there are hundreds of thousands who are not satisfied with anything less than the best that is going. The American people must move fast, and the automobile is a popular and useful means to that end. If it were merely an extravagant luxury the automobile industry would represent a colossal and unpardonable social waste. But under the standards of the twentieth century it is a necessity. The ox cart gave place to the horse vehicle, and the horse vehicle must be relegated to antiquity by the motor car. Some one has said that the inventions that have most profoundly affected the development of civilization, aside from that of the alphabet, have been those of transportation. Steam and electricity have been performing their part in annihilating space, and now they are to be supplemented by the gasoline motor. The latter is destined to conquer the earth

and air for men. With it every man may be his own distance annihilator—the twentieth century ideal. As it heightens man's pleasure and as its utility is of a higher order than the vehicles it displaces, the motor car, despite its cost, must be set down as a necessity of the times. Some burden may be felt because of the current revolution from horse to motor transit, but the transformation once completed the world will be the gainer by it.

The automobile industry was born before the panic, it flourished undismayed through the panic and it will wax mightily now that the panic is over. This year the manufacturers could not keep up with the demand although their factories underwent marvelous expansion, and next year additional millions will flow into the industry and additional thousands of men will find a new employment. The continued expansion of the automobile industry shows that the hard times were not so hard as they might have been, and now that the worst is over there can be no doubt that it will contribute its share to the rising flood of new prosperity.

GOVERNMENT ASSISTANCE TO EXPORT TRADE

BY C. S. DONALDSON,

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The lofty attitude of the United States government toward the foreign trade of the country is now a matter of history. Irresistibly has the official energy been directed toward the fostering of American business interests abroad. This endeavor will continue to expand and bear fruit, though it can never become as potential a factor as the paternalistic aid given in Japan and Germany by the Imperial governments. We can only try to make up in activity what these competing nations accomplish through associating public and private interests in strengthening their economic position.

Emperor William II recently asked a German industrialist why he had placed a large machinery order in the United States. The answer was because the American quotation was several thousand dollars lower, in reply to which the emperor is reputed to have requested the business man to place his next order in Germany, and send him the bill for the difference in cost. This was a patriotic commercial lesson, and is the sentiment that obtains to-day. The strong German banking houses in China, South America and elsewhere turn all the trade possible to their nationals, and we admire them for it. French and British financial interests do likewise, and, with the strong supporting arm of the government representatives, are invincible against the keenest Yankee trader who tries to compete for profitable orders. Repeated incidents bear out this statement. Extensive port works in Brazil, for illustration, were laid out by an American engineer full of enthusiasm for the superior mechanisms produced in his country, who is obliged to witness the installation of French machinery, which was stipulated by French bankers who advanced a loan for the harbor works. Under such conditions it is not difficult to understand why our exports to Brazil are only one-fifth of our \$80,000,000 imports from that country. New York financiers, however, interested by the American consular advices, are now planning a chain of South American banks.

Against such tripartite combinations of government, banker

and the manufacturing exporter, the American seeking trade abroad has contended single-handed. To a certain extent, however, Uncle Sam is now beginning to lend a hand—how strongly it will be extended depends on the expressed desires of the people and on Congress in supplying the sinews and in wise legislation. The diplomatic and consular service has already been wonderfully advanced in efficiency, and further improvement may be confidently expected.

Ministers interest themselves in commercial matters to an extent that would have shocked the social proprieties of the diplomat a decade or so ago. Hamilton King, who represents us in Siam, has repeatedly exploited American wares, his latest effort being an endeavor to secure for his countrymen the contract for the proposed water works system at Bangkok, which is to cost a million dollars, the award of which will soon be given. To Mr. Leishman, formerly Ambassador at Constantinople, must be ascribed some credit for the fact that over American steel rails the devout Mohammedans now proceed to Medina on their way to Mecca. Minister Sherrill at Buenos Aires is developing a system by which those Americans who have been shut out of the Argentine market, through inability to conform to the credit system, may get cash for their goods. These are only a few instances of the commendable activities of a large number of our diplomatic representatives.

One of the questions of the hour is this government's policy of the maintenance of the "open door" in China; yet of equal or greater importance is the entrance of American interests into Turkey, fostered by this government and heartily welcomed by the new Ottoman regime. Americans are obtaining concessions there, and plan a railroad trunk line through Asia Minor, the establishment of telephone systems, etc., while Turkish officials are now in the United States arranging for a loan among a people who can have no thoughts of territorial aggrandizement, nor of political suasion.

In this new era of government participation in the promotion of commerce one cannot overlook the beneficial effect of this country's administration of the customs revenues of the Dominican Republic, or the prospective stability and growth of trade that must ensue with Central America as a result of the participation by the Department of State in refunding the \$20,000,000 debts of Costa Rica and Honduras.

About five years ago Congress committed to the Bureau of Manufactures in the Department of Commerce and Labor the huge task of promoting foreign trade. Its agencies are through a tariff division, which collates and publishes the customs charges and regulations of all foreign countries; a staff of traveling special agents—technical experts who investigate and report on industries and trade abroad; and the consular division, which molds the reports of consular officers into effective commercial campaign literature. The bureau is ably directed by Major John M. Carson, whose whole-souled enthusiastic management has developed practical results. The bureau has had many letters telling of foreign orders for American merchandise as the outcome of information supplied by it.

The business public is acquainted with the transformation effected by the bureau in the publication and utilization of consular reports. Daily Consular and Trade Reports is the only daily commercial and economic journal issued by any government. The number of copies that may be printed is limited by an old stipulation of Congress to 10,000, which was long ago reached, and the mailing list is therefore restricted. The contents of the daily are systematically grouped and classified in Monthly Consular and Trade Reports, which is likewise limited to 10,000 copies. A gratifying improvement is manifest in the selection and treatment of live business questions by American consular officers, whose rank for efficiency in this respect is contested by no foreign nation.

It must be admitted that there still are consular officers of the United States who only shine socially, or whose slumbering silence is only broken by a brief annual report; yet it is pleasing to note the influx of strong new blood through the present competitive examination system that is constantly improving the service, and likewise the position of our country in the world. These young men start at the bottom and by meritorious conduct advance slowly, but surely, to the higher posts.

Consuls-General Mason, at Paris, and Thackara, at Berlin, are veterans, the former now completing his twentieth and the latter his thirteenth year of efficient work; while Consul-General Griffiths at London made his merit record at Liverpool. It would indeed be a stupendous task to recount the commercial achievements of the many consuls which aided their promotion. There is the natural inclination of the appointee to some obscure post to feel that noth-

ing can be done in his limited district, where trade may be dull and the people sluggish. But that Yankee spirit which was manifest in two sailors who were shipwrecked on a desert island, and swapped jack-knives every day, enables all consuls who possess it to "make good."

About three years ago Consul Coffin went out to the isolated post at Maskat, the capital of the Arabian sultanate of Oman, a little country stretched along the coast at the entrance to the Persian Gulf. There is little else there save date growing, yet Mr. Coffin succeeded through the co-operation of the Bureau of Manufactures at Washington in having an American water works system placed in the palace of the Sultan, and interested other American firms in providing improved appliances for irrigating the date orchards, and motor equipments for small craft at the port. He also mastered the Arabic tongue, completing the attainments which made logical his appointment to Tripoli-in-Barbary, where an important new consulate was opened last year. His activities continue, and the Moors of Tripoli are now baking bread from American flour, and are apt to learn the convenience and use of many more things American.

In small islands of the sea other consuls have shown similar zeal. Dr. Dreher in the Society Islands, Van Dyne in Jamaica, Grout in Malta, promoted later to Odessa; Blake in the Madeiras, now in Scotland; Maynard in Borneo, now in Vladivostok; Totten in Santo Domingo and Baker in Tasmania are all on record at the Bureau of Manufactures as having continuously made reports of great value to our business interests.

An experiment is about to be undertaken in Mr. Baker's case that gives promise of extensive adaptation in the consular service. A trained Chicago newspaper man, he thoroughly exploited the island of Tasmania in the interests of American trade. At the suggestion of the Department of Commerce and Labor Mr. Baker has now been detailed to investigate and review trade conditions in the entire Commonwealth of Australia, and will be temporarily attached to the consulate-general at Sydney.

Another phase of consular efficiency is the unselfishness shown by the officers when they come home to the United States about every other year on vacation. They pay their own traveling and other expenses while here, and spend much of the time in conference

with American manufacturers, imparting at first hand valuable information for the development of an export trade. Consul-General Anderson is now back from Rio de Janeiro, and is thus employed; Consul-General Smith has just returned to Genoa, leaving a wealth of commercial suggestions concerning Italy and the Belgian Congo, where he was formerly stationed. Consul Connor is about to return to Cochin China, after presenting to a number of manufacturers a plan for sending some sample goods there to pave the way for large sales. Consul-General Lay, of Cape Town, made a special effort while on his vacation in the States a few months ago to meet the manufacturers who were interested in the South African trade, in which we are slipping back, while Germany and England are forging ahead. Consul Dunning, who performed such valiant commercial deeds at Milan, and is now at Havre, and Consul-General Ozmun at Constantinople, also chose to spend their recent vacations by traveling through the business centers of the United States, while a favorite feat of Consul de Soto at Riga is to send Russian business men and manufacturers to this country to inspect our goods and machinery. The Russians always leave good orders.

At the commercial gateways of the leading countries vigilant consular officers are necessary. Thus at Hamburg Consul-General Skinner keeps as watchful an eye as he did at Marseilles and in his mission through Abyssinia. With equal vigilance Consul-General Michael at Calcutta and Consul Wakefield at Rangoon watch the gateways to India and Burma, Consuls-General Harris at Smyrna and Ravndal at Beirut the gateways to Asiatic Turkey, and Consul-General Rodgers at Habana, the metropolis of Cuba. In the new world Consul-General Bartleman at Buenos Aires and Consul Winslow at Valparaiso are effectively caring for our interests in Argentina and Chile, Consul Manning at La Guaira the re-opened door in Venezuela, Consul Canada at Vera Cruz the expanding Mexican markets, and Consul-General Jones at Winnipeg the development of middle Canada. Out on African prairies an introductory steam plowing outfit is one of the many imported American mechanisms to the credit of Consul Hollis, of Lourenco Marquez, while Consul Snodgrass performed such effective service in the Transvaal that he was given the opportunity to conduct a wider trade campaign from the post at Moscow, where he is now consul-general.

Many manufacturers have voiced the opinion that the most prac-

tical consular effort yet put forth was that inaugurated by Vice-Consul Frankenthal at Berne, and elaborated by Consul Van Dyne at Kingston. They addressed suggestive interrogatory letters to all the leading business firms in their respective districts. The replies reveal the attitude of the merchants toward American goods and furnish the basis for many new purchasing connections in the United States. This information is conveyed in confidential bulletins by the Bureau of Manufactures. Transmission confidentially of trade opening details is a developing feature of this bureau's work. Blue prints and specifications, samples, etc., of foreign desires are forwarded daily to all manufacturing concerns from Maine to California which wish to compete. Reference to most of these matters is made in the foreign trade opportunity column of Daily Consular and Trade Reports, with a keyed number. The immense and growing correspondence required in this clearing-house work is overtaxing the limited office force of the bureau.

A commercial directory of the world for the American export trade is one of the ambitious plans of the bureau. To this end the consuls have been compiling selected lists of importers and merchants. These are being systematically grouped and arranged in the bureau, and embrace every leading city in the world. There will also be included such large purchasing bodies as the Zemstvos of Russia, the agrarian societies of Germany, the co-operative purchasing associations of England, the bazaars of India, etc. The publication of this large work has not yet been arranged for, but in the meantime various manufacturers are copying at their own expense the addresses of foreign houses handling special lines of goods.

The commercial agents who are attached to the bureau work under a special appropriation of Congress. They are selected experts for the investigation of special industries and trades. Captain Carden of this branch is now making a second trip through Europe, studying and reporting on the machine shops, where many American tools are already in use. Special Agents Clark and Butman are in South America, the former studying the cotton goods' and the latter the shoe and leather goods' markets. Special Agent Brôdé is touring Europe for the enlargement of the sales of cottonseed products. Special Agents Pepper and Davis, who have recently resigned to become a commercial advisory board to Secretary Knox

and the President, were effective trade campaigners, the former along broad general lines, the latter on the flour trade of Europe, the economic interests of this country making it more desirable to sell abroad our farm products in finished form for consumption. Monographs on these and many other subjects at present engrossing business men are constantly being issued by the bureau. It may be mentioned that the establishment of the new direct steamship line between New York and Constantinople was due largely to the efforts of Special Agents Davis and Brod .

Space permits only this brief outline of how the government is striving to help the export trade. Many elements and factors are also necessarily passed over, while in justice to the consular officers it must be stated that many are on the honor roll for efficient service who have not been mentioned. There is a general esprit de corps and a willingness to serve our commercial interests abroad of which the 80,000,000 people at home may well be proud.

If I were asked how to make more effective the consular service the answer would be:

1. Supply each consulate with a higher priced and more efficient clerk; \$1,000 is altogether inadequate.
2. Give each officer the privilege to make investigation tours through his district, and pay his expenses. This now comes out of his pocket, if there be anything there after meeting current expenses and helping stranded Americans.
3. Provide a fund of about \$5,000 for the entire service to enable consuls to employ experts on technical subjects. American industrial and economic associations frequently request exhaustive details concerning such matters in foreign countries, which the consuls are directed to supply—at their own cost.
4. That more American business men take time to write commendatory letters of consular and special agents' reports that have aided them. It will encourage the officers and benefit the entire service.

The building of battleships and the Panama Canal is also an integral part of foreign trade extension. They are powerful factors, the influence of which will insure the highest consideration for our diplomats, consuls, special agents, commercial travelers and pleasure seekers who go abroad. They are the only basis which will preserve the "open door" in China, and any semblance of Ameri-

can trade in the Pacific. The lack of this pervasive influence was painfully evident to an American business man on a trip to China a few years ago. Through a consul of the United States he sought an audience with a provincial viceroy to no avail, until finally the American official introduced him to the British Consul, who easily gained him the coveted interview. That was a kindly act, indicative of the friendship between the great English-speaking nations, but it also indicated our comparative weakness and the necessity for a naval strength to make effective our inert power.

THE RETURN OF PROSPERITY

BY HON. O. P. AUSTIN,

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No careful student of present conditions in the United States as related to production, manufacture, transportation and internal and foreign trade can fail to recognize a marked improvement in conditions to-day when compared with those of a year ago. Indeed the improvement made in all branches of popular activities is so great that there seems every reason to accept these conditions as an evidence of a return of prosperity and of entrance upon a long period of activity, industrial, financial, and commercial.

In the manufacturing and mechanical industries, which occupy the attention of over seven million wage earners, the evidences of returning prosperity are uniformly convincing. The United States measures its output of manufactures at quinquennial periods only, and it is therefore impossible to state in positive terms the actual growth from year to year. Fortunately, however, it is possible to measure activities in the manufacturing industries at much shorter intervals. One reliable method of measurement is through a comparison of the quantity of materials imported at various periods for use in manufacturing. While much of the raw material of the factory is supplied by local production, the proportion drawn from abroad is so great and has so necessary a relation to the activities and product of the factory that a measurement of imported manufacturing materials may be relied upon as affording a true indication of existing conditions in the manufacturing industries. Practically all of the silk, india rubber, hemp, jute, and tin used in our domestic industries is brought from abroad. For a large part of their wool, cotton, hides and skins, copper, wood, chemicals, and, to a less extent, their iron and steel, local manufacturers must look to foreign countries. Of all these articles the Bureau of Statistics of the Department of Commerce and Labor makes a monthly record of importations, from which it is possible to form an intelligent estimate of conditions in the industries in which those articles are a

necessary factor of daily use. Selecting the first eight months of the current year and comparing conditions in that period with those of the corresponding months of 1907, a period of unprecedented prosperity, and of 1908, a period of industrial depression perhaps unequaled in the history of the country, the figures of importations of raw materials show many evidences of a return to good times, numerous articles showing records equal to, or exceeding, the high levels reached in 1907. Imports of pig copper, for example, which fell from 142 million pounds in the first eight months of 1907, to 89 millions in the same period of 1908, rose to 152 millions in the corresponding months of the present year. Fibers, which showed a total importation of 488 million pounds in the eight months ending with August, 1907, fell to 434 millions in the same period of 1908, but more than recovered the lost ground in 1909, showing for the eight months a total importation of 563 million pounds. Other representative articles of consumption in our domestic industries whose imports show large increases during the past eight months when compared with the corresponding period of 1907, include hides and skins, india rubber, lead in ore and base bullion, raw silk, wool, sulphur ore, ammonia sulphate, palm oil, logs, and wood pulp; while raw cotton, tin, lumber, and gums, though still a little below the levels established in 1907, are making substantial progress in recovery.

The table on page 127, compiled from official figures of the Bureau of Statistics of the Department of Commerce, shows more in detail the upward trend of importations of manufacturers' materials from the low records made in 1908.

A study of the following table seems to justify the conclusion that the manufacturing industries are not only more prosperous at present than at the corresponding date in 1908, the year of depression, but fully as active as in 1907 when those industries were enjoying a degree of prosperity such as the country had never before known. Other evidences of activity in the manufacturing industries are seen in the large shipments of iron ore from the great iron mines of Michigan and Minnesota by way of the Great Lakes, which for the five months of lake navigation ending with August, 1909, are estimated at 22 million tons, compared with 12 millions in the corresponding period of 1907; and in the production of pig iron, which amounted to 15¼ million tons in the

eight months ending with August, 1909, against $9\frac{1}{3}$ millions in the same months of 1908 and $17\frac{3}{4}$ millions in the corresponding period of 1907.

IMPORTS OF PRINCIPAL ARTICLES USED IN MANUFACTURING IN THE EIGHT MONTHS ENDING WITH AUGUST 31, 1907, 1908, AND 1909.

Articles.	1907. Millions of pounds.	1908. Millions of pounds.	1909. Millions of pounds.
Copper ore	42.7	28.4	53.0
Copper pigs, etc.	141.6	88.6	152.0
Raw cotton	97.5	56.3	67.4
Fibers	488.2	433.5	563.3
Hides and skins	266.4	196.9	356.3
India rubber	50.5	45.6	57.4
Lead in ore	84.0	140.3	147.3
Raw silk	9.6	10.2	14.3
Tin in bars, pigs, etc.	64.3	52.5	63.7
Leaf tobacco	25.2	24.5	28.9
Lumber ¹	539.4	397.9	534.5
Raw wool	150.4	89.2	229.8
Sulphur ore	939.9	1,041.5	1,006.6
Wood pulp	368.7	271.4	440.1
Logs and round timber	80.5	78.4	113.8
Sulphate of ammonia	38.3	31.9	50.6
Argols	21.8	14.1	21.4
Muriate of potash	114.0	91.1	177.3
Gums	56.8	43.9	59.1

In agriculture, the largest of our domestic industries, measured by the number of inhabitants engaged therein, the outlook is especially bright. This industry occupies the activities of $10\frac{1}{3}$ million people, as compared with 7 millions in manufacturing, $4\frac{3}{4}$ millions in trade and transportation, $5\frac{1}{2}$ millions in domestic service, and $1\frac{1}{4}$ millions in professional service. It is therefore fortunate that in this, our largest domestic industry, conditions remained fairly prosperous even during the period of industrial depression which characterized the larger portion of 1908, and that now when general conditions are improving, prospects for large and generous crops are bright, thus giving assurance of a solid foundation to an era of great prosperity. The estimates of the Department of Agriculture place the average condition of spring

¹Lumber is stated in million feet.

wheat when harvested at 88.6 per cent on September 1, 1909, as compared with 77.6 per cent in 1908, 77.1 per cent in 1907, and an average of 76.9 per cent during the past decade. The oat crop is estimated at 80.5 per cent, compared with a ten-year average of 76.9 per cent; and the corn crop, 74.6 per cent, compared with 80.6 per cent for the past ten years, though the higher prices at which corn is being marketed this year make it probable that the net return to the farmers will closely approximate that of earlier years. Cotton conditions were also somewhat less favorable on September 1, 1909, than heretofore, being on that date 63.7 per cent, compared with an average of 71.6 per cent for the past ten years.

Transportation is so closely associated with, and dependent upon agriculture and manufacturing as to reflect with a fair degree of accuracy conditions in those important factors of national prosperity. In this industry, too, the outlook is encouraging. Railroads are reporting increased earnings and greater activity generally. The number of cars handled by the car service associations was, for the eight months ending with August, 1909, 20 millions, or but a half million below the figures of the prosperous year 1907, and three millions more than those of last year, for corresponding periods. The number of idle cars on September 1, 1909, was reported at but 119,474, against 221,214 on September 1, 1908, and 339,513 on January 1, 1909. Bradstreet's, a reliable authority, states in a recent issue that gross earnings on about 95 per cent of the country's total railway mileage was in July of the present year twelve per cent greater than in July of last year, and that net earnings in July, 1909, were 14.6 per cent greater than those of July of the preceding year.

That financial conditions have improved is not surprising in view of conditions in agriculture, manufactures and transportation. For the 104 principal cities for which figures are reported, the bank clearings during the eight months' period ending with August are given at 93½ billion dollars in 1909, against 80 billions in 1908 and 100 billions in 1907. For the city of New York the bank clearings during the period under review are stated at 65 billions in 1909, compared with 47 billions in 1908, and 62 billions in 1907. For the single month of August, the bank clearings of the 104 cities reporting were 13⅓ billion dollars,

against 10 billions in August, 1908, and 11½ billions in August, 1907; those of New York alone amounted to 8½ billion dollars in August of this year, compared with 6¼ billions in the same month of 1908, and less than 7 billions in August, 1907. The failures reported by "Dun's Review," an accepted authority, shows liabilities in the eight months ending with August, 1909, of 45 million dollars, against 79 millions in the corresponding period of 1908, and 52 millions in the same months of 1907. Individual deposits in national banks on September 1, 1909, were reported at \$1,988,000,000, against \$1,808,000,000 on September 23, 1908. The money in circulation September 1, 1909, was \$3,096,000,000, against \$3,077,000,000 on September 1, 1908.

Foreign commerce shows distinct signs of improvement but has not yet reached the proportions shown in the fiscal year 1907, just before the period of depression. The activity in manufacturing, the prosperity of the great agricultural community, and the general employment in all branches of domestic activities make the home market good and domestic trade active. Internal commerce is now greater perhaps than ever before, and foodstuffs, cattle and other farm animals command unusually high prices. It is largely because of these conditions, coupled with the steady drift of population away from the farm and to the cities and the consequent diminution of surplus food products that the export trade has declined. For the eight months ending with August, 1909, domestic exports were valued at but 989 million dollars, against 1,075 millions in the same months of 1908, and 1,176 millions in the corresponding period of 1907. This falling off in exports occurred chiefly in foodstuffs, in raw cotton, and in manufactures of iron and steel. The decrease in exports of foodstuffs was due, in part, to the increase in home demand, in part to the fact that certain foreign countries, especially Argentina and British Australia, are increasing their supplies of meat and wheat for the world's markets and thus reducing to some extent the demand upon the United States; and, in part, to the high prices offered by our own domestic market, thus discouraging the exportation of these articles. Whether the export trade will improve will depend also, in part, upon conditions abroad. Much of the falling off in our exports in the last two years was due to decrease in imports the world over, and with the resumption of prosperous

conditions abroad our exports may be reasonably expected to increase.

Imports show less change when compared with the immediately preceding years. For the eight months ending with September, 1909, the total imports aggregated 948 million dollars, compared with 700 millions in the corresponding months of 1908, and 1,002 millions in the same period of 1907. The increase over 1908 represents chiefly enlarged importations of materials for use in manufacturing, though smaller gains are also shown in other classes.

Thus in practically all the great factors of national prosperity—agriculture, manufactures, finance, and commerce—conditions are such as to give reasonable assurance that existing prosperity will not only continue, but increase. The demands for iron and steel, for railway cars and other equipment, for construction and manufacturing materials, all point to greater activity in the industries, in transportation and in manufacturing. The completion of the recent tariff will aid in the improvement, not so much by reason of any radical changes in actual rates of duty imposed as because of the fact that the manufacturing, transportation and other industries, which had delayed activities pending possible changes, will now be able more accurately to forecast future conditions than was the case last year.

PRESENT AMERICAN BUSINESS CONDITIONS IN THE DISTILLING INDUSTRY

BY MORRIS F. WESTHEIMER,

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Government statistics in the distilling industry are accurately tabulated and promptly furnished to all applicants, thus offering to any one desiring to study them the means of reaching conclusions to an extent impossible in almost any other line of manufacture. We need not, therefore, indulge in any surmises, but can go at once to the facts and figures contained in the reports of the Commissioners of Internal Revenue in Washington, D. C. The records of the United States Internal Revenue office show the following:

Prior to 1900 the largest quantity of distilled spirits tax-paid and withdrawn for consumption in any one year was in the fiscal year ending June 30, 1893, during which period the amount was 97,424,825 gallons.

The financial panic and the following depression brought about a gradually decreasing demand until we reach the fiscal year ending June 30, 1896, which year shows the smallest annual quantity tax-paid in a quarter of a century, *i. e.*, 60,635,356 gallons; a decrease of 37 per cent.

The tax-payments for the fiscal year ending June 30, 1894, show 87,087,618 gallons.

Comparing this with the year ending June 30, 1896, 60,635,356 gallons; a reduction of 30 per cent.

Let us compare these government statistics with present conditions:

Spirits tax-paid and withdrawn for consumption for the fiscal year ending June 30, 1906, 122,617,943 gallons.

Spirits tax-paid and withdrawn for consumption for the fiscal year ending June 30, 1909, 114,799,465 gallons; a decrease of 6 per cent.

For the fiscal year ending June 30, 1907, 134,031,066 gallons.

For the fiscal year ending June 30, 1909, 114,799,465 gallons.

Decrease in consumption due to commercial depression beginning with the financial panic in the fall of 1907, 14 per cent.

It is evident that the depression in general business conditions

during the years 1907 and 1908 did not reduce the consumption of spirits as greatly as did the hard times of 1893 to 1896.

Tax-paid for consumption during fiscal year ending June 30, 1908, 119,703,594 gallons; a decrease as compared with 1907 of 10.7 per cent.

The United States Geological Survey gives the production of coal in the United States for the year of 1907 as 480,363,424 short tons. For the year 1908, 415,842,698 short tons; a decrease of 13.4 per cent.

Coal being an accurate barometer of general manufacturing conditions, the decrease of 13.4 per cent in coal production, as compared to 10.7 per cent in consumption of spirits, is extremely interesting. A study of the following table will more clearly indicate the comparative effect of depressed business conditions, following the panic in 1907. (All figures are taken from governmental reports):

	1907.	1908.	Decrease per cent.
¹ Production of pig iron, long tons.	25,781,000	15,936,000	38.1
¹ Production of steel, long tons.....	23,363,000	15,000,000	35.7
¹ Imports of sugar, pounds.....	4,391,839,975	3,371,997,112	23.2
² Bank clearings, dollars	157,673,000,000	127,755,000,000	19.
¹ Production of coal, short tons....	480,363,424	415,842,698	13.4
² Tax-payment of distilled spirits, gallons	134,031,066	119,703,594	10.7

The statistical abstract of the United States gives the per capita consumption of all liquors and wines:

For fiscal year ending June 30, 1888.....	14.65 gallons
For fiscal year ending June 30, 1898.....	17.37 gallons
For fiscal year ending June 30, 1907.....	23.54 gallons
For fiscal year ending June 30, 1908.....	23.01 gallons

The Prohibition Movement

These facts are all the more striking, impressive and remarkable in view of the widely heralded "Prohibition Wave," now slowly receding, but which attained its greatest strength in 1908. They indicate beyond dispute that legislative prohibition, instead of largely reducing the quantity of spirits consumed—as contemplated by its advocates—has very little, if any effect in that direction. It has, however, reduced the *quality* of goods consumed and has driven the

¹ Fiscal year.

² Calendar year.

retail business into less reputable and less responsible hands. Where prohibition prevails there will be no improved demand for goods of the higher grades. Where goods are selling under the sanction of the law, commercial conditions bring keen competition, necessitating good quality and small profit to the legitimate dealer. When traffic of any kind is carried on under the ban of the law, these conditions are reversed, resulting in diminished competition, poor quality, and larger profits to the violator of the law, all at the expense of the consumer and with the added moral damage of destroying respect for all law.

The consumption of distilled spirits is always affected by general business conditions. With the tariff settled, and abundant crops assured, there will be a revival and extension of manufacturing in many lines, which will include a corresponding revival in the distilling industry.

Effect of the Recent Tariff Legislation

It is too early to forecast any direct result of the new tariff law. The quantity of liquor imported is at all times very small in comparison with home production, and in character such importations belong largely in the class of the higher luxuries, such as champagnes, fine cordials, bitters and other special preparations. It is not probable that the new tariff law will have any important effect upon home production—certainly, no detrimental effect.

The exportation of American distilled spirits for consumption abroad has never reached important proportions; this is partially due to the fact that the growth of the business in this country has been so steady and rapid as to make it unnecessary for the American distiller to shoulder the expense of seeking a market abroad. Furthermore, the exportation of distilled spirits has been handicapped by cumbersome and antiquated revenue and customs regulations.

The General Outlook for the Future

The general outlook for the future from commercial and financial standpoints has seldom been better. The growing crops of all cereals used by distillers promise to be phenomenally large this year. This means raw material at fair prices for the distiller and

abundant purchasing power for the consumer. Prosperity for one industry means prosperity for all, and with tariff uncertainties out of the way, it is the consensus of opinion among merchants and manufacturers in all lines that our country is on the eve of prosperous times.

Anything adversely affecting so great an industry as that of distilling in this land of ours, bears with almost equal hardship upon the collateral trades dependent upon it. The forester who cuts and sells stave timber for barrels, the iron dealer furnishing hoops, the bottle maker, box manufacturer, cork and cap and label maker, the printer, the lithographer, the cooper, the farmer producing corn, rye and barley, the maltster, the coppersmith, the ironworker and distillery builder, and innumerable other industries dependent upon that of distilling, are all equally interested with the distiller in auguries of the future.

Over all of these, there lowers at the present time, the one menace of confiscatory and destructive legislation, such as has been enacted recently in some of our states, as a result of the hysterical and emotional prohibition campaigns, conducted under the auspices of the Anti-Saloon League. A notable instance is furnished by recent legislative enactments in Tennessee. In that state, since the first of July, 1909, the sale of liquor *within* the state has been practically prohibited, and after the first day of January, 1910, manufacture is absolutely prohibited even for sale *outside* of the state. Needless to say this is practical confiscation of brewery and distillery property and without one penny of compensation from the people of Tennessee who are presumed to be the beneficiaries of such confiscatory legislation.

For more than a century of national life, the distilling industries have been protected, fostered and encouraged by national legislation. The space accorded me by your invitation forbids my going into details on this question. So unique and revolutionary in America is the present tendency toward confiscation and destruction of vested rights and property interests, that it might well be the theme of future contributions to your volumes. The law of eminent domain alone justifies the taking of private property for the public good, and nowhere and at no time should this arbitrary power of suppression be exercised without due compensation to the owners. If all the people of Tennessee are to be benefited by the suppression of

distilleries and breweries within the limits of that state, should not the people of Tennessee be willing to pay for the alleged benefits thus secured to them? In England, when it was recently proposed to reduce the number of licensed public houses (saloons) there was no suggestion by members of Parliament of any plan which did not include full compensation to the publicans (saloon-keepers) to be eliminated, for the full value of leases, fixtures, stock on hand and good will.

I anticipate the sophistry with which this protest will be met by the Anti-Saloon League. They will tell us: "We do not confiscate your distilleries and breweries—we merely forbid you to operate them." The flour mill which is forbidden to grind wheat is as valueless an asset as a railroad prohibited from running trains over its rails.

There are signs of an awakening among the owners of property of all kinds in the face of this destruction of vested rights and values—a confiscation planned and carried out at the behest of a league, or organization, whose promoters and leaders tell us that it is the "united church forces in action."

The leaders of this movement are largely ministers, men consecrated to the teaching of morality. The following, from the Cincinnati "Enquirer," of April 5, 1908, is interesting in this connection.

New York, April 4, 1908:—Chancellor James R. Day, of Syracuse University, made a statement to the New York Methodist Episcopal Conference to-day, in which he declared, on behalf of Bishop Moore, that the Bishop was not in sympathy with the barn-burners of Kentucky, but that the Bishop felt the destruction of the tobacco, in view of the position of the Methodist Church, to be a commendable thing. The Chancellor said that the Bishop did not look favorably upon the destruction of the barns and warehouses containing the tobacco.

These niceties of anarchistic discriminations are interesting, but they make faint appeal to a property-owning, liberty-loving and law-abiding American public.

The distilling industry in the United States is of vast proportions, representing hundreds of millions of invested capital. Many thousands of men and their families are directly, or indirectly, dependent upon it for their livelihood. The immediate extermination of their means of support is as directly threatened as is the

property of the owners of hundreds of distilleries, breweries, cooperage, box and bottle plants. By whom is this destruction and extermination demanded? Let us see. In THE ANNALS of the American Academy of November, 1908, appears an article contributed by Rev. W. M. Burke, California State Superintendent of the Anti-Saloon League, entitled "The Anti-Saloon League as a Political Force," which concludes as follows:

Let any question have the support of the entire evangelical church, then organize this force for action; put into the field four hundred and fifty keen, bright, able men; let them draw their support from the millions who are in favor of the objects proposed, and you can *create* and *organize* sentiment enough to accomplish almost *any purpose* desired. That is what is happening in the political arena to-day as against the open saloon. It is merely the united church forces in action.

As further defining the attitude and methods of the Anti-Saloon League, the following quotation from an interview with the Rev. Purley A. Baker, General Superintendent of the Anti-Saloon League, written by James B. Morrow, and printed in the Cincinnati "Enquirer" of Sunday, February 23, 1908, is significant:

You must remember that the Anti-Saloon League is not in politics as a party, nor are we trying to abolish vice, gambling, horse-racing, murder, theft or arson. The gold standard, the unlimited coinage of silver, protection, free trade and currency reform, do not concern us in the least. In no instance has the League ever nominated a candidate for public office. Nevertheless, we are the most skilfully and completely organized *political force* in the country.

In the same interview Rev. Baker further informs the public: "We had to beat eighty-seven men for the legislature in a certain state before the leaders of the two political parties ceased to sneer at us." Lack of space forbids further reference to vauntings in this interview of the work done by the "united churches"—skilfully organized as a "political force" in electing and defeating almost entire state legislatures, and of doing and undoing state senators and members of Congress in the effort made by the "federated churches" to control the reins of government. Enough has here been quoted to make evident that commercially, financially, and politically we are confronted with a new problem in American life.

Men more competent than I am to analyze this problem assure me that many good and earnest church men and women deplore the fact that so many of their fellow-workers are being

misled and misrepresented by a majority of their clergy, who have been swept away from safe moorings by the emotionalism of Anti-Saloon League methods.

An interesting sermon was delivered on Sunday, August 15, 1909, in St. Paul's Church at Richmond, Va., by the Rev. W. E. Evans, D.D., Rector of The Church of the Advent, of Birmingham, Ala., from which I quote:

A fierce political contest has been going on in Alabama, for quite a time. It was not the question of temperance, but of prohibition. To preach temperance is to preach religion, but prohibition is politics. Failing to make this distinction, certain ministers turned their place of worship into lecture halls, where this phase of politics was discussed, and political harangues—in the churches, mark you—were applauded to the echo! In a paper received only day before yesterday, I saw that crowds of ministers were gathered at the state capitol, and were lobbying in the interest of their political party. What is the impression made upon sober, thoughtful minds? Just that which St. Paul deprecated, "the ministry is blamed" as forsaking its legitimate sphere and obtruding into politics.

Yet, I recall that several years ago, when Roman Catholic priests appeared as lobbyists in the halls of Congress, the Protestant press, from one end of the country to the other, was unanimous in protest, and I presume it expressed the feeling of the Protestant clergy and laity. These priests were working for appropriations for their Indian schools, yet against them the newspapers sounded a trumpet blast of indignation. In Alabama it is a state capitol that is besieged by crowds of ministers using the power of their office to promote a *political* movement.

For centuries, the union of state and church in the countries of Europe, has been a source of unrest and contention. The trend there has been toward complete separation of church and state. Where such union still exists, for instance, in England, the functions of civil and ecclesiastical authority are each defined and limited. The church there is respectful in its attitude toward civil authority. It is only necessary to study the methods and utterances of the Anti-Saloon League leaders in this country to see that among them, at least, no such spirit prevails here.

The movement here appears to be an attempt at domination of civil by church authority, accomplished by seizing the power of government, through the medium of the ballot, and exercising that power for purposes of confiscation and destruction, aimed

at any and all things standing in the path of the "federated churches" working as a "skilfully organized *political* force."

The future of the distilling business can be accurately foreseen only by one of prophetic powers, far-seeing enough to determine how long the American public will permit this tendency toward church supremacy in politics to work unchecked. The fact cannot be too strongly emphasized that no property is safe from a menace of this nature.

Forecast

As bearing strongly upon the future of the distilling industry, there are being slowly, but surely, evolved from the great mass of suggestions, coming from many sides, well-defined plans for the regulation of the retail sale of liquors under state control, which will doubtless eliminate those features which are now made the excuse for complaint and attack against the business as a whole. The National Wholesale Liquor Dealers' Association of America believes that public sentiment is rapidly shaping itself in opposition to prohibition and is turning towards regulative license laws.

Based on the sane and successful laws in force in Pennsylvania and Massachusetts, the license plan of the future will no doubt provide safeguards which will embody the following features for the control of sales of liquor at retail:

First: The character of the applicant, and not the fee, should be the determining factor in granting license.

Second: Licenses should be issued by a non-political board, and be limited in number and based upon population.

Third: A license should be revoked when the owner violates the law.

Fourth: Where owners of licensed premises are voted out of business, under state wide or county option laws, such owners, who have not violated the law, should be compensated for the loss inflicted upon them by being forced out of business.

Fifth: Officers of municipalities should be compelled to enforce all laws, and laws should be so framed as to remove temptation from the saloon-keeper to enter into active politics. In many states it might be desirable to include laws limiting the sale of liquors to unbroken packages, not to be consumed on the premises, except

in inns, hotels and restaurants. I quote from the platform of our association:

It is true that in the growth and development of our industry, in common with all others, be they railroads, insurance, or banking, excesses have crept in which menace the welfare of those engaged in them. It is as unfair to say, as it is impossible to achieve, that the evils can be cured only by destroying the industry.

It is our firm conviction that those who honestly seek to promote the cause of true temperance will find the surest and safest method in the continuance of the licensed saloon, conducted under proper laws and reasonable regulations strictly enforced.

In conclusion, in the well-known words of Patrick Henry, "I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past," and so, judging by the past, I confidently count upon a steady revival of the distilling industry commensurate with other lines of manufacture. I hope and believe that the "Prohibition Wave," so often erroneously entitled the "Temperance Wave," will, in receding, leave in its wake equitable, fair and right-minded regulative laws, which will remove the liquor question from the realm of politico-clerical agitation.

RECENT DEVELOPMENTS IN THE LIFE INSURANCE BUSINESS

By L. G. FOUSE,

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Conditions are ever changing. The question under consideration, however, is whether in the life insurance business since 1906 they have changed for the better or for the worse. Enough time has not elapsed to establish authoritative facts, but there are indications which should be thoroughly and carefully considered in order that the future of life insurance may have whatever benefit there is to be derived therefrom.

The recent financial depression has had a marked effect upon the business of life insurance. The cause is in dispute. Financial authorities, however, agree that the immense destruction of capital through the Boer War, the Japanese-Russian War, the San Francisco earthquake, and other disasters, was the fundamental cause of the break of one of the weakest links in the financial chain of the world.

The great system of life insurance is one of the strongest sections of the chain, but it had a link weakened by mismanagement in a few of the companies. This link has been removed and a new one put in its place. The question now before us is, have the changes as a whole resulted in any impairment of the business, or are they for its betterment. They were designed to be for its betterment, but are they? New insurance laws have been passed in most of the states of the Union, and such radical changes made that the most experienced men hesitate even to venture an opinion.

As an example, a few of these laws may be mentioned: Discrimination in matters of rates against the colored men is prohibited when it is a statistical fact that there is a material difference in the longevity of races. In at least one state, no matter what the contract provisions may be, suicide, even though immediately after issuance of policy, and deliberate and with fraudulent intent cannot be a bar to recovery. In another state the recom-

mendations of the medical examiner are final, even though he may have conspired with the applicant to perpetrate a fraud on the company. Another state imposes a penalty of twelve per cent for exercising the constitutional right of defending a claim believed to be unjust. In a number of states, laws have been enacted which prevent removal of a case to the United States courts, while others undertake to regulate the details of management with requirements that are impractical, expensive and even dangerous. In the State of Wisconsin, twenty-one companies unwilling to incur the risk of impracticable laws, voluntarily withdrew from the state. Twenty-seven life companies withdrew from Texas because of the unjust and oppressive tax and deposit laws. Fourteen states have enacted statutory provisions for life policies. Some of these provisions conflict with those of other states, and render difficult interstate business, which is essential to a proper average.

The only recent improvement noted in legislation is in the line of reducing the too burdensome tax on life companies. The companies now pay for taxes, fees, licenses and cost of supervision more than \$12,000,000 per annum. This tax is the equivalent of 2.25 per cent of the premium income. In 1890 it amounted to 1.4 per cent, and in 1908 it had increased to 2.3 per cent. It is generally conceded that the tax rate should not exceed one per cent of the premium income, and this should include the tax of one per cent on surplus recently imposed by the United States Government. In Germany the life companies pay only twenty-four cents in taxes, against \$2.26 in America. In Canada the ratio is a trifle over one per cent of the premium income; in Australia less than 1.5 per cent. However, the indications are that policyholders are waking up to the fact that they are paying the tax, and are demanding that their representatives in the several legislatures remedy the injustice.

December 31, 1904, the statements of the life companies, numbering ninety-two—having \$12,539,499,890 insurance in force—showed that a trifle over fifty-three per cent of the income was disbursed in expenses, payment of losses, surrender values, etc., while in December, 1908, the number of companies had increased to 170, with \$14,540,781,439 insurance in force, and the disbursements represented fifty per cent of the income, or a gain of about three per cent. This indicates an improvement, but the

fullest analysis would not at this time disclose the actual facts. It may be, and probably is, largely due to the effect of medical selection of the seventy-eight new companies which have written all their business since 1904, and hence a very small portion of their business is beyond the effect of medical selection. Again, it may be due, to some extent, to the recent retrenchment in expenses incident to the restrictive laws, which is responsible for the large reduction in business of the New York State companies. Again, the business of the seventy-eight young companies, not old enough to have many surrender values, neutralized the effect of the business in the older companies in which the increased amount paid for surrendered and purchased policies was fifteen million dollars more in 1908 than in 1907; or the reverse, to some extent, is due to the liberalizing of contracts in favor of the individual as against the aggregate, the effect of which is questionable and uncertain. Indeed, it will require the lapse of at least another decade before an analysis can be made with any degree of certainty as a guide for the future.

If we take individual companies, which are affected differently by changed conditions, we will find that those that have been able to reduce the expense of business-getting, have been enabled to liberalize their contracts to meet both the letter and the spirit of the laws enacted, all of which would seem to be to the advantage of policyholders. It is, however, a question which time alone will enable one to answer truly, whether laws and conditions which make possible, if they do not encourage, fraud upon life insurance companies, that prescribe and limit conditions regarding the investment of assets, the sale of securities, the loaning of reserve to policyholders, limiting the amount of business a company may do, limiting the amount of surplus that it may maintain for the protection of policyholders, etc., are, after all, for the best interests of policyholders.

The life insurance companies in the United States have about three and one-quarter billions of assets, and over thirteen billions of insurance in force. This insurance is carried by about twenty millions of persons.

While the general outlook of business conditions in life insurance is favorable, especially in view of the improved conditions of business in general throughout the country, it is not by any

means certain that the changes in recent years have been for the permanent good of the business.

State or Government Insurance

The economic and social conditions of recent years have given promise of an experiment in some form of state or government insurance. Mr. William Jennings Bryan, former presidential candidate, in April, 1905, made this statement in a periodical: "I believe in state insurance, in the state government conducting an insurance business on a basis where the premiums would cover all expenses, and at the same time give insurance to the masses at absolute cost. I advocate issuance by the state of both life and fire policies."

Paternalism has crept into the laws of a number of states, the effect of which is yet to be determined. Massachusetts has enacted a savings-bank insurance feature, which has had strong support, and which, we are glad to say, has been established on a scientific basis, but from a practical point of view, it will probably show little better results than the forms of government insurance as established in New Zealand, France and other countries. Notwithstanding the many advantages secured to the New Zealand life insurance scheme by the government, private companies have more than held their own, and the government scheme is, in comparison, on the wane. In Great Britain a plan introduced by Mr. Gladstone, which makes every post office in the nation an agent, has languished, and has hardly been a factor in the insurance business. The French government established a department July 11, 1868. The insurance in force in the department, December 31, 1908, represented \$1,300,000 insurance, or hardly enough to be a reasonable amount for a month's business of an average American company. In order to increase the business, the government reinsured some mutual societies, but in this it has already had a disastrous experience. While the premium income in one year on the reinsured business was \$47,000, the losses for the same period amounted to \$45,000, with no accumulation for the future.

The National Civic Federation made labor insurance a part of its program for the annual meeting held on December 15, 1908, in the subject: "How may the employee and his family be protected against financial stringency in case of accident, illness or death?" Shall the plan followed in England, or shall the Massachusetts

voluntary savings bank annuity plan; or shall the state or the employer; or the state, employer and employee, jointly, as in Germany, be adopted? The discussion did not result in anything definite, but was "decidedly favorable to some form of state insurance." Consideration was given to some form of state insurance in Wisconsin, Massachusetts, Texas, Illinois, Florida, and in New York as far back as 1905; and later in Michigan, Tennessee, Virginia, Kansas, and in some other states, but no substantial progress has been made with it. "A strong tendency, however, exists toward retirement funds, industrial pension funds, employers' relief associations, etc., all of which are commended, provided they are based upon sound actuarial principles."

"The Standard," of Boston, in 1908, said, "The tendency of the recent reform in life insurance legislation is to fossilize the business. The public has infinitely more to gain from competition in insurance by companies conducted by private enterprise than from the dry rot of any state system of insurance."

In Great Britain, where insurance is much older than in this country, by reason of which the impractical has largely been eliminated, the policy of "publicity and freedom," has been found to give the best results. Under the laws of England the company management is restricted as follows:

Directors of a company cannot avail themselves of their position to enter into beneficial contracts with the company; nor can they buy property and then sell it to the company at an advanced price. . . . Directors cannot receive commissions from other parties on the sale of any of the property of the company; and generally, they cannot deal for their own advantage with any part of the property or shares of the company. . . . Upon similar principles a court of equity converts a party who has obtained property by fraud into a trustee for the party who is injured by that fraud.

Aside from the foregoing restrictions, which prevent managers from having interests antagonistic to the interests of policyholders, details are left to be worked out through competition, "publicity and freedom." There is no legal standard of solvency, as we have in this country, and a method of computing reserve is not provided by law, but publicity must be given to the method adopted by the company. Instead of pursuing plans which within the last half century have been found to be entirely satisfactory in Great Britain, the disposition in this country, from an insurance

point of view, has been to control and regulate by law the minutest details.

The business depression in recent years, from which the country has, for the most part, recovered, and the revival of business in general, have had their economic lessons, which will prove beneficial to the life insurance business. Rebates, primarily responsible for many wrongs and misdeeds, have practically ceased. Improvements have been made in policy contracts, and in many of the details of the business, but much of the legislation has fixed and rendered inflexible conditions over which the companies can exercise little or no control—like the rise and fall of flowing streams—that it is calculated ultimately to injure the business. For example, the surplus that a company may have is limited by law; the loan and surrender values, together with the rate of interest on loan values, are fixed by law; and whenever such values and rate conflict with the financial and commercial conditions prevailing in the country, trouble is sure to follow. Such legislation cannot be modified or repealed too soon for the general good of the business.

THE RECOVERY FROM THE DEPRESSION

BY JOHN MOODY,

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The twelve months prior to the panic of October and November, 1907, was a period of high levels in practically every trade and industry. The steel and iron reports surpassed all records previously obtained; the country's agricultural values mounted to totals far beyond any reached before; railroad and other transportation earnings soared to wonderful heights, and in practically all retail and general distributing lines vast activity was notably the feature.

This twelve months' period and that immediately preceding it was a time of high and steadily ascending commodity prices and of high and steadily rising rates for money. The time money rates in New York and the other large centers ranged steadily above five per cent, and early in 1907 even six per cent was regarded as not excessive for the temporary uses of loanable funds. In the commercial paper market even higher rates than six per cent were considered not excessive, and all through the spring months of the year prime paper was being placed in large amounts on bases which cost the borrower anywhere from six and one-half to eight and one-half per cent, and in some instances considerably more. The loaning of money on call in the financial markets was on an equally high basis. Not only did the call money market not "loosen up," after the stringency of the fall and winter of 1906-07, but the rate steadily maintained its average above six per cent and frequently soared during the spring to new and unusual heights. It is unnecessary to say that during this period bank credits were enormously extended and reserves everywhere depleted.

The tremendously inflated level which had been reached in practically every field of industrial and commercial activity was concisely reflected by the condition of the security markets at that time. The prices of active shares on the New York Stock Exchange were hovering around figures which, in the light of dividend returns, were ridiculous in the extreme; stocks which had no

dividend-paying power whatever were in many cases selling close up to their par values; while bonds of the better type, which, in the times of easy money a year or two back had sold freely on a three and one-quarter to three and one-half per cent basis, were commanding prices which gave a yield of but four per cent or a little more, right in the face of a permanently fixed six to seven per cent money market.

Many theories have been advanced to explain the panic of 1907, and the brief period of depression which followed in its train. But as a matter of fact the causes of the panic were so patent that they have never needed explaining. The facts regarding the year preceding the panic, which I have stated in the foregoing paragraphs, are the panic's explanation. That the country was riding for a fall during this entire period is now apparent to the most superficial observer. The vanishing point must ever be reached in material activity when mounting commodity prices, climbing interest rates, distended bank credits and feverish "prosperity" are found traveling side by side.

The interesting question, however, which still begs for an intelligent answer, is an explanation of the unusual phenomena which have followed in the wake of the panic. Any careful analysis of events during the past two years will show that this period is altogether unique as compared with former depressed periods that have been outgrowths or aftermaths of panics. Just as ante-panic times are characterized universally by a rising trend in prices of commodities, in advancing wages, over-valued lands and a high level for interest rates, the few years of liquidation which logically follow are noted for a radical lowering of all commodity costs and prices, a heavy fall in wages, the bursting of all land value bubbles and the decline of interest rates to comparatively nominal levels. This was the case of the panic of 1873; it was true during the troubled years after 1893. And in other countries, where panics have occurred, these were the cardinal characteristics of the years which came after.

And in the security markets, which are each decade becoming more and more a concrete reflection of the trend of general conditions, due to the rapid absorption of all business undertakings under the corporate form, the same features have been regarded as the earmarks of after panic periods. Prices of securities, after the

temporary but extreme collapse of the panic itself, have always in the past, after their normal rebound, settled down to a basis of slow but steady liquidation which has sometimes extended over a period of a year or more. After the 1873 panic, this liquidating period was present for at least three years; after 1893 we had two periods of liquidation in the security markets, one in 1894, another in 1895 and 1896. In each case the course of the security markets directly reflected the state of trade and the general industrial situation throughout the country.

But we find that since the panic of 1907, these former normal events have apparently not taken place. We have had no real period of liquidation, either in the general industrial field or in the security markets. We have had no extended period of falling prices of commodities, nor any very pronounced price declines whatever, barring a few specific industries. While the price level reacted moderately from the high average of August, 1907, it did not drop radically, and within six months of the panic was resuming its upward trend again. At this writing, as shown by Bradstreet's, it has risen once more to about the highest average of the ante-panic year.

There has been no heavy fall in wages, such as has characterized periods following previous panics; and the wage level to-day is in many industries fully up to the plane of 1906-07, and in many instances considerably above it.

At practically no time during the past two years have wages held at the comparatively low levels following other panics; and this has been true despite the fact that when industry dropped to its lowest ebb, the labor market recorded an enormous surplusage and a larger percentage of skilled labor was out of work than had been the case for a decade before.

In the bursting of land speculation bubbles, we have always heretofore recognized a cardinal feature of after-panic periods. But this time there has been no such thing as a slump in land values. Instead, we have witnessed both urban and agricultural land retain its full value through the entire two years; inflation in prices has practically never halted, and to-day values of this nature are soaring as never before.

And if we examine the trend in the rate of interest, we will find the unusual phenomenon present here also. It is true that with

the cessation of the enormous speculative and industrial activity immediately following the panic, interest rates dropped quickly to normal figures; bank credits were liquidated in vast volume, and reserves piled up to unusual amounts. Money was a drug on the market, as it could not help but be. But while money was plentiful, it was not cheap. It is not cheap to-day. With reserves heavier than ever before in history, the trend of the money market in the financial centers has at no time been downward since 1907, and within a single year after the panic-collapse, resumed its upward trend. While for a few months it was confidently predicted in New York that the money troubles were over for another decade, and that we would soon see high-grade railroad and government bonds selling on the levels of 1902 again, this position was soon abandoned by the thoughtful. In 1902 the highest type of railroad bond, like Lake Shore first mortgage $3\frac{1}{2}$'s sold on a basis to yield but three and one-eighth per cent. Many anticipated that prices would return to this level again, after the fall in money rates after the panic. But these prices have at no time been even approached, and for the last six months the trend has been quite definitely in the other direction. If we look across the water we find the same situation demonstrated. English consols once sold on a basis to yield but two per cent. This was not the result of credit, for the credit of the English nation has since risen to even greater heights; and yet to-day we find that, like the owner of Lake Shore $3\frac{1}{2}$'s, the holder of British consols faces a shrinkage in principal equaling more than twenty per cent from the high figures of a few years ago.

Superficially, money seemed easy for awhile. But it has at no time been really cheap. Prior to 1906 first mortgages were easily negotiable in all the Eastern centers on a four to four and one-half per cent basis; but ever since the panic year, six per cent money in this field has been far more easily placed, and to-day is in greater demand than ever. Commercial paper has not, for even the shortest periods, settled back to the bases of former times of cheap money, and there has been immense truth in the remarks heard from merchants during the past year that "there is plenty of money, the banks tell us, but we have to reach mighty high to get any of it."

I am fully aware that comparisons with former industrial periods are dangerous things to make, and that the point will be

immediately raised that special factors can be shown to account for the long periods of liquidation after the panics of 1873 and 1893. All of which may be true, but the fact remains that whether these periods had been long or short, they would have followed as the normal outgrowth of the burst of inflation which preceded them. When the foundations are removed from under the house, the house should logically fall, even though events may quickly follow to repair the wreck and set the building up again. But although we had a panic in 1907 and the foundations were apparently removed, the house has really never fallen. We have had no real period of liquidation; no abnormal drop in wages, no slump in commodity prices, no collapse in land values, and no return in the cost of money to the levels of other normal times.

Instead of this logical sequence of events, what do we find? As a concrete reflection of other things, let us take for example, the security markets. The fall in security prices in 1907 which was occasioned by the panic conditions, aggregated a truly enormous sum. At that time I was at some pains to ascertain what this vast decline might reach in round figures, taking into consideration practically all the corporate capitalization in the country. I found that on a total par value of about thirty billions of dollars, and a market value of twenty-seven billions, there had been a shrinkage of fully ten billions of dollars within the short space of ten months. In other words, while the corporate stocks and bonds quotable in this country enjoyed a market valuation of about twenty-seven billions in January, 1907, by the middle of November of the same year this valuation had shrunk to about seventeen billions of dollars. More than one-third of all the corporate values in the United States had disappeared in ten short months like a mist before the morning sun.

But the rebound in these valuations was immediate and spontaneous. No long period of low prices ensued, as has always hitherto been the case after a financial cataclysm, and it is entirely true that the "bull market" in active securities has continued without any important break from November, 1907, to the present date. To-day the security valuations as a whole are back to the levels of 1906 again, with this difference, they do not seem to be on the brink of a precipice, but rather only part way up the hill toward a distant summit.

This remarkable and uninterrupted rise in security valuations definitely reflects the trend in all fields of commercial effort. Industry has awakened in nearly every line, all trades are taking the optimistic view that they are entering upon a period of unusual activity. But the following difference must be noted between the two years' record of security quotations and the activity of business itself. While stock valuations have been steadily growing, business activity remained at a low ebb until within the past eight or ten months. The revival in production assumed its logical sequence as after other panics. It did not begin until a reasonable period of intense dullness had preceded it.

But just here is where the unusual situation comes in. After previous panics, the revival has never taken place except upon a level of low prices for commodities and a considerably lower wage scale, accompanied by the cessation of extensive liquidation of inflated land and other artificial values. In other words, the present period of business activity and advancing prices has started from its approximate high level of the ante-panic year and we are building upward from the roof instead of starting from the ground.

The thoughtful student can only regard this entire situation as unusual and unique. It cannot, in my opinion, be explained away in any touch-and-go fashion. There must be some underlying cause at work of more than ordinary nature to account for a situation which is absolutely new in economic history.

It is not merely the "spirit of speculation" which so thoroughly permeates the American people. This is not the cause; but it is one of the earmarks of the true cause. Let us probe a little deeper. Rising prices, rising interest rates, growing profits, stationary or moderately rising wages, increasing costs in every line, expanding values of realty and of legal benefits; they can all be traced largely to one general cause. This cause is not the "awakening of prosperity." We had all this phenomena present when prosperity was asleep; stock prices climbed steadily up while industry slept; commodity prices nearly maintained their levels or increased when the markets were glutted; realty values soared when they ought to have come down; money commanded its price when bank reserves overflowed.

Now either values are actually rising or the thing by which we measure them in shortening. I believe the latter to be the case.

The decreasing value of gold, due to its enormous production, is steadily depreciating the value of our money standard, and having an effect of far-reaching nature on our whole industrial fabric. Probably it is safe to say that the value of the gold dollar, in relation to other things, has declined to the extent of at least forty per cent during the past eight or ten years, and the trend is still in the same direction. This it is which has caused the unusual stability in commodity prices during the past two years; it has largely accounted for the maintenance of high valuations for real estate and steadily increasing costs in every line. It has tended to maintain interest rates at a higher level than was formerly normal, and is largely back of the remarkable advances in stock market valuations which we have witnessed ever since the close of 1907. For let it not be forgotten that the great rise in security values is found chiefly among the stock issues of unlimited dividend paying power, and not among high grade mortgages of limited income. The latter, in response to the prevailing strength of the money market, have never returned to the bases which they enjoyed a few years ago.

I believe that the banker, business man, student or ordinary observer who fails to give proper attention to this phenomenon, and undertakes to forecast coming events in business and finance without considering its effect, will be in danger of going far wrong in his calculations. We have not, in my opinion, entered a long period of prosperity similar to that which obtained from 1898 to 1907; we are not justified in expecting another ten or twenty years to pass before we have to face a recurrence of business disaster and panic. In fact, I do not believe we are justified in expecting, unless new signs appear on the horizon, a period of more than two or three years more before we will be in danger of facing a crisis far more serious and far-reaching in its effects than that of two years ago.

For if advancing prices and abnormally rising values mean anything, they mean speculation. They nurse the speculative desire as nothing else can; they divert effort from normal to abnormal channels. The "holding for a rise" is as potent an element of speculation in the dealings between merchants and their customers and between manufacturers and their buyers, as it is in the purchasing of wheat, cotton, stocks or real estate. And the more steady and intense the rise in prices, the more rapidly the fever of

speculation spreads, until, as is inevitable as long as consumption has its limit, the unavoidable crash arrives.

Barring this far-reaching factor, I think the present revival from the panic is healthy and sound. I do not think we stand in danger of any immediate set-back in industrial activity or in commercial fields as a whole. Rather I believe we may look forward to a continuance of rising prices for many months to come, increased railroad earnings with perhaps smaller profits relatively, due to the limitation of rates, phenomenal profits in some of the industrial fields and an unusual volume of business in most retail lines. But I also believe that we will witness a continuance of the upward trend in commodity prices, further high valuations for realty, advancing and higher interest rates; phenomena which in time must work the undoing of this peaceful period, and cause us to press for solution a factor which is robbing us of our future safety almost without our knowing it.

THE PRESENT SUPPLY OF FREIGHT CARS¹

BY ARTHUR HALE,

General Agent American Railway Association, New York and Chicago.

The usually accepted law of supply and demand applies no more to the supply of freight cars than to the supply of any other form of transportation. This is because the price of transportation—that is, the rate—does not vary. If this law of supply and demand applied to railroad work, when the demand for transportation was less than the supply the rate would fall until the demand increased or until the cost of producing transportation was reached. When the demand exceeded the supply the rates would rise until, under the stimulus of a high rate, the production of transportation would be quickened, and again the supply would meet a demand which might have been somewhat lessened by the increased rate. These fluctuations in price, so familiar to traders in all articles, do not occur in transportation. Freight rates are now stable, and when they do change, the slight changes made do not usually occur under the law of supply and demand.

The above statement I take to be axiomatic, but the facts are often lost sight of, because usually the supply of cars is greater than the demand. The business world takes it for granted that the car supply is adequate against all demands, and when a car shortage does come, it comes with a shock and as a surprise.

Everyone is used to receiving goods on tender of the price. So accustomed are we to the law of supply and demand that when, in trading, we tender an agreed price we feel we have a right to the goods. When people tender the agreed price for cars and do not receive the cars they feel shocked and even aggrieved, and too often they discuss the subject from the point of view of their grievance. Not infrequently they appeal to the law. Now, the common law enjoins carriers to make a reasonable provision of

¹This paper was prepared by the author for simultaneous publication by the American Academy and by the "Railroad Age Gazette." The Academy volume appearing somewhat later than its usual time of issue has caused the paper to be printed in the "Railroad Age Gazette" in advance of its publication by the Academy.—[EDITOR.]

vehicles, but only a reasonable provision. It does not prescribe any excessive provision to meet an extraordinary demand, and it does not satisfy people with grievances. Attempts to modify the law so as to meet these grievances are not as yet general enough to demand attention here.

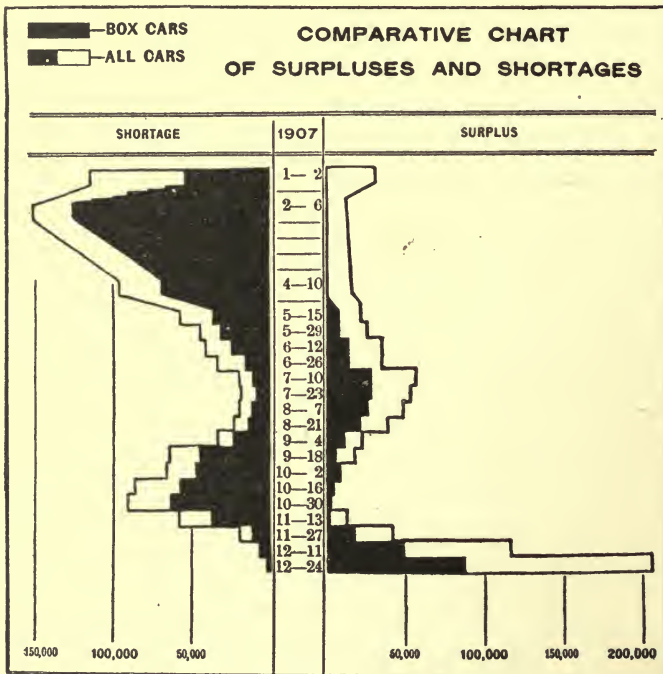
If it were practicable to apply the law of supply and demand to railroad rates, it seems possible that there would be more cars and other railroad facilities than there are now. Railroads, in the hope of profiting largely in periods of great demand, might be willing to take more risk in providing facilities which would be ordinarily unnecessary. In trades where the law of supply and demand applies, if only in a limited way—as in the hotel and livery business—the trader often feels justified in maintaining an unduly large number of rooms or horses, because he is repaid by high prices during a “rush season.”

Certainly, if the law of supply and demand affected railroad rates there would be few car shortages, and none of any extent or duration. An immediate adjustment of freight rates would keep the demand and supply approximately equal. This much is said only in explanation. There seems no prospect of any change in conditions which will subject the railroads to the law of supply and demand. It remains to consider the actual situation.

Here it will be found that the absence of the law of supply and demand aggravates the situation as soon as a car shortage appears. When the demand for a commodity in one locality so raises the price as to make it very profitable to supply the demand, the difference between freight rates from distant and from near points becomes a negligible quantity, and new sources of supply are opened up. The amount of the commodity available at these different points may become so great as to exhaust the car supply. When the car supply is once exhausted, the demand for cars is only limited by the imagination of the shipper. No increase in freight rates is possible to restrain this demand, and he is impelled to demand more and more cars by his certainty that he will make large profits if only he can somehow ship large quantities of his commodity. Of course, these profits will not accrue to him if all his rivals in trade can ship as well. Such over-shipments would break the market. But considerations of this kind do not avail with a man with a grievance and eager for profit.

This extreme demand for cars occurs, of course, only in times of car shortage, and chiefly from the producers of and the dealers in the great staples—coal, grain, ore, cotton, lumber and the like. For such commodities demands are often made on different railroads to supply cars to ship the same goods, causing an exaggeration of the demand which can hardly be estimated.

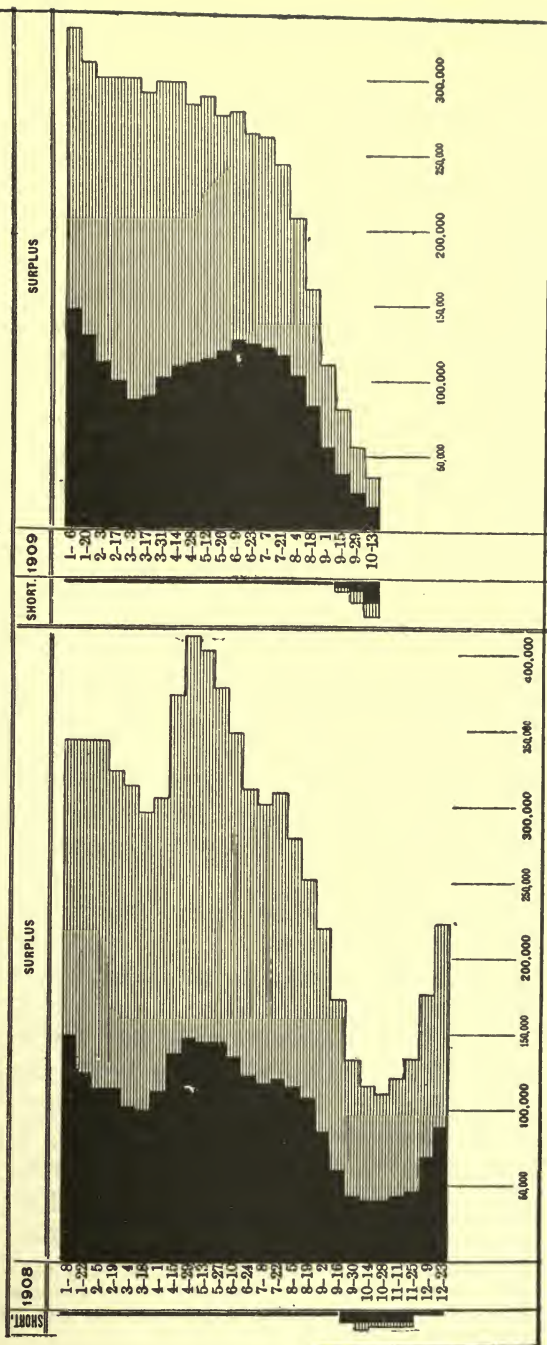
In a situation of this kind, all a railroad can do is to avoid unjust discrimination in its distribution of cars; and this is a very



difficult thing to do. It has been said that in times of car shortage, the only way in which a railroad can treat all its patrons justly is to make them all equally dissatisfied—and there is much truth in the remark. The railroads, are, however, trying to form rules of car distribution which will justly meet any emergency. The Interstate Commerce Commission and the state railroad commissions are helping in their way, and the Supreme Court will be heard from at its coming session.

COMPARATIVE CHART OF SURPLUSES AND SHORTAGES

■ BOX CARS
 ▨ ALL CARS



Something can be done by the railroads to increase their car supply, by the purchase of additional cars. This, however, is not as easy as it looks. In times of car surplus the railroads feel justified in doing but little more than replacing their equipment which goes out of service, and the manufacturers of freight cars meet this situation by a reduction of their forces.

When a car shortage comes, the railroads at once order cars and the manufacturers promptly accept the orders; but it becomes a physical impossibility to supply cars as fast as they are ordered. The coming of a car shortage is only an indication of revival of industry and consequent full employment of labor, so that the manufacturers of cars have great difficulty in increasing their forces to meet the sudden doubling or quadrupling of the demand, and as a consequence deliveries of cars are very slow. On such occasions railroads have had to wait for their new cars for a year or more. This is not always an unmixed evil, for many roads are so well equipped with cars that they could not use more to advantage without an increase of facilities. Most of the roads would need an increase in the number of their engines to properly handle any considerable increase in their cars. All roads in times of car shortage have great difficulty in procuring competent help to man their trains, yards and shops. Most roads would be obliged to increase their track facilities, both in the yards and on the line, before they could use any largely increased number of cars to advantage.²

It will therefore be seen, as stated above, that all the railroads can do at once, when they are confronted by a car shortage, is to avoid discrimination, with all the difficulties, real and imagined, attending such a course. When the car shortage is an ordinary one, such as may be expected every year for two or three months, this seems all that can be expected under the present circumstances. It is only when the car shortage extends over a longer period, as occurred in the car shortages of 1906 and 1907, that it becomes practicable for the railroads to so increase their facilities that the supply will equal the demand without the help of a change of freight rates.

There is still another way in which railroads can increase the

²It should here be noted that in acquiring new cars and new facilities, and also when they increase their force, the railroads find the old law of supply and demand working against them. The price of cars and all other facilities rises rapidly, and so do rates of pay.

efficiency of their equipment so as to postpone or end a car shortage, and that is by moving their cars faster, by loading them heavier, and by avoiding the movement of empty cars when this does not involve undue delay. This means, of course, that there is opportunity for the railroads to improve their methods in general; but it is also a matter in which the railroads are very largely dependent upon the public. The railroads are very anxious to load their cars full. Certain shippers find it to their advantage to ship small lots of freight at carload rates. The railroads would be very glad to have all cars loaded and unloaded promptly. Some shippers find it to their advantage to take their time in loading, to take their time in unloading, and to store freight in cars.

As may be imagined from the above statement of the general principles involved in car supply and the general conditions surrounding it, a recital of the present situation on this continent, involving, as it does, half the railroads and half the cars in the world, is a matter of considerable difficulty. The reports, however, received by the American Railway Association for the latest date available—that is, up to October 13, 1909—indicate a total shortage on all the principal railroads, except one, amounting to 23,431 cars. The Interstate Commerce Commission reports that a ton moves, on an average, 242 miles. The American Railway Association reports that the car, on an average, now makes about seventy per cent loaded mileage. We may assume from these data that the average time of the round trip of a car is something over twelve days. To obtain this we use the best monthly record of the American Railway Association—27.2 miles per day.

As there are something over two millions of cars on the continent, the indications are that 185,000 cars are loaded every day, and this shortage of 23,431 cars is therefore a shortage of thirteen per cent. This means that thirteen per cent of the freights offered are delayed one day or more before they can be shipped. But this is all that this shortage means. It does not necessarily mean any restriction in production, except in those trades where absolutely no storage is provided before shipment. It is not a shortage which can be compared with the great shortages occurring in 1906 and 1907. It should also be remembered that the present shortages are only local, and that the car supply is ample in the regions and trades where car surpluses are reported; and further, that the rail-

roads are now doing probably as much business as they did in October, 1907, when the shortages reported amounted to over 90,000 cars, or fifty per cent of the shipments.

It is too early to fully explain how the railroads of the country are carrying this immense business with so small a car shortage, but this can be said: The number of cars in the country has increased in the last two years by nearly 200,000, and the average capacity of the cars is much greater than it was two years ago. Further, the railroads of the country, by increasing their facilities and by improving their methods, are able to give a better movement to their freight cars than they did two years ago. In this they now have the assistance—even if it be the reluctant assistance—of a large part of the public in the enforcement of demurrage rules, and this has undoubtedly increased the equipment available by hastening the loading and unloading of cars.

The present shortage appears to be on the increase, as will be seen by the accompanying chart. As noted above, it is not a net shortage. Although there are shortages reported on various railroads amounting to this figure of 23,431, there are surpluses reported amounting to more than this—namely, to 35,977. This surplus amounts to very little compared to the surpluses which we have had in the last two years; but it will be noted that the rate of decrease in the surplus is much slower than it was one and two months ago.

There are several reasons why this surplus is not used to fill the shortages. In the first place, the surplus cars are generally stored at considerable distances from the points where shortages occur, and not infrequently represent cars in transit to meet shortages. Second, the surpluses are often in one kind of car, while the shortages are in other kinds of cars. It is, of course, practicable, in an emergency and at additional expense, to use box cars for products which are ordinarily shipped in open cars, and vice versa. This occurred two years ago, but the present shortage is not yet sufficient to justify devices of this kind.

No survey of the situation is adequate without an indication of the prospects for the future, at least for the immediate future, and such indications are usually based on experience. Here we are somewhat at fault, for the records of car supply in the country only go back to January 1907. All prior records are local in their character. A summary of the records of the American Railway

Association is given herewith in graphic form. A comparison with the two prior years shown would seem to indicate that the shortages will not increase much longer, and the surpluses will increase very soon. It must, of course, be considered that the records for 1908 were made at a time when the business was much less than it is now; and the records for 1907 were influenced by the panic.

The indication of this record is largely confirmed by the recollection of railroad men of many October shortages which have been "cleaned up" between Thanksgiving and Christmas. On the other hand, many well posted men believe that the present increase in production will be maintained throughout the winter, and that we are about to face another long continued car shortage. With this view many railroads are ordering additional equipment.

Among the assumptions of this paper which may not be generally accepted, is the assumption that the railroads of the country have made adequate provisions for the average needs of the shippers, and the assumption that the periods of car shortage are comparatively infrequent. This view may not be accepted by railroads and shippers who have suffered so severely in previous car shortages that the long continued car surplus of the last two years seems to them exceptional. There are possibly railroads and shippers who have operated more months under a car shortage than under a car surplus, but this is very doubtful. Certainly, there are few shippers of freight in small lots who have had occasion to know that there has ever been a car shortage at all. The only shippers who can feel that they have really suffered in car shortages are the producers of and dealers in the great staples, and usually those staples most subject to the law of supply and demand and of which the price varies most. That there were great car shortages in the years 1906 and 1907 is denied by no one, but these shortages were wholly exceptional. The only shortage of similar magnitude was that which followed the anthracite coal strike of 1902, when the production of that staple was absolutely discontinued for such a long time that the efforts to supply the demand with a similar staple created an extreme shortage in cars and other things. Other car shortages are remembered, as in 1901 and 1887, but none of them compared with the car shortages of 1906 and 1907; and here we should remember that the increase in industry during those periods did not equal the increase in industry of 1906 and 1907.

It is hoped that the imperfections discovered in detail in this paper may be traced to the lack of evidence available on this very important subject. It is somewhat unfortunate that this attempt to deal with it must be made at a time when conditions are so rapidly changing. It seems, however, important that an attempt to give the present state of car supply should accompany statements of the present business situation. It is even more important that it should be appreciated that the railroads are alive to the situation and are striving to meet it, even after the untoward events of the last three years.

It must not be supposed that this paper is an attack on any principle of collectivism, as opposed to any principle of individualism or *laissez faire*. Experience has shown that unregulated competition between railroads is destructive, and it may well be urged that all the plans heretofore devised to meet this unbridled competition are based on collectivism. How far this principle should extend in railroad and corporate affairs is hard to say. The spread of collectivist principles, however, in the affairs of a country so thoroughly imbued as ours with the *laissez faire* doctrines of the two last centuries is bound to create friction, and any attempt to bring about a better understanding of such a problem as this of car supply should be useful.

BOOK DEPARTMENT

NOTES

Arbeitseinstellungen und Aussperrungen in Österreich, Die. Pp. 591. Wien: Alfred Hölder, 1909.

Ayres, L. P. *Laggards in our Schools.* Pp. xv, 236. Price, \$1.50. New York: Charities Publication Committee, 1909.

The investigation conducted by the Russell Sage Foundation into the backwardness of school children concludes that: (1) That the most important causes of retardation of school children can be removed; (2) that the old-fashioned virtues of regularity of attendance and faithfulness are major elements of success; (3) that some cities are already accomplishing excellent results by measures that can be adopted by all, and (4) that relatively few children are so defective as to prevent success in school or in life.

In reaching these conclusions several able chapters have been compiled dealing with the percentage of attendance in the different grades, sex and attendance, and nationality and attendance. Each of these chapters discusses fully the phase of one particular problem.

It is most interesting, after this brilliant showing of the causes of retardation and elimination as operating primarily in the upper grades, to have the author advocate a card-index system as a remedy for what he clearly shows to be at fault, the curriculum. Elimination from school is most noticeable after the pupils reach the age of twelve when they are required to take up a continuation of a wearily monotonous curriculum. The remedy clearly lies far deeper than a mere change in method of administration.

Baschurtz, K. *Die Organisation der Stadtlischen Haus- und Grundbesitzer in Deutschland.* Pp. 206. Berlin: J. G. Cotta, 1909.

Benoist, Charles. *Pour la Réforme électorale.* Pp. 322. Paris: Plon-Nourrit et Cie., 1908.

This is a series of essays written at various times upon a subject that continues to be of great interest to the French electorate—the reform of the election system. This question the author believes is “at the beginning, at the center and at the end” of the problem of good government. The first part of the book is a polemic against present political conditions in France—in fact, these three essays were avowedly written to be used for political purposes. In the latter part of the work some of the chief remedies now advocated are reviewed in detail; they include the list system, proportional representation, corrupt practices acts, secrecy of the ballot, reduction of the number of representatives, etc. The author is an enthusiast as to what may be accomplished by these changes in machinery.

Bernhard, E. *Höhere Arbeitsintensität bei kürzerer Arbeitszeit.* Pp. 94. Price, 2.50 m. Leipzig: Duncker & Humblot, 1909.

Browne, J. C. *Parcimony in Nutrition*. Pp. 111. Price, 75 cents. New York: Funk & Wagnalls Co., 1909.

Dr. Browne has enlarged his 1908 presidential address to the section for preventive medicine of the Royal Institute of Public Health, England, into a book to warn the public of the dangers that lurk in the Chittenden and Fletcher heresy of low diet. He admits that Professor Chittenden's revolutionary results were obtained under the most perfect laboratory methods possible. He does not question them directly, but points out that it "conflicts violently with the orthodox physiological faith;" that it is Chittenden against the world which, beginning with mother's milk and coming down through the experience of history, has established things differently. "All the successful races have habitually consumed proteid far in excess of the Chittenden standard, and far in excess of what was required for tissue repair, and when we find a definite relation between proteid consumption and racial success there is good ground for believing that behind it there is biological law." Possibly the successful races have done many things that were neither causes of nor aids to progress. Dr. Browne's method of defence may be sound, but it would defend almost any new thing. He at least would have us feel that more evidence should be collected and proofs should be matured by more time before the Chittenden results can be finally accepted.

Buschkiel, A. H. *Das Kassen- und Zahlungsverwesen der staatlichen und kommunalen Behörden im Königreich Sachsen*. Pp. 93. Berlin: J. G. Cotta, 1909.

Denison, T. S. *Primitive Aryans of America*. Pp. 189. Price, \$2.50. Chicago: By the Author, 1909.

One of the most fascinating riddles of ethnology is the source of the American Indians. The author believes that a careful study of the language of the Aztecs and kindred tribes reveals their early connection with the Indo-Iranians, and that the Aztecs, therefore, belongs to the Aryans. He offers in evidence a comparison of many words and phrases from the Indian language with the old Aryan roots. Whether further investigation will establish clearly his claim may be a matter of question, but any serious attempt to solve the riddle is to be commended.

Depreciated Currency and Diminished Railway Rates. Pp. 127. Philadelphia: Railway World, 1909.

Eastman, F. A. *Chicago City Manual for 1909*, containing names and official addresses of city officials with description of their functions. Pp. 291. Chicago: Bureau of Statistics, 1909.

Errera, P. *Le Congo Belge*. Pp. 26. Paris: V. Giard and E. Brière, 1908.

Forman, S. E. *Advanced Civics*. Pp. xvii, 456. Price, \$1.25. New York: Century Company, 1909.

Teachers of advanced classes are relying more and more upon collateral reading to visualize the subject for the student. The text should give

numerous suggestions for further study. Advanced courses, too, must of necessity cover narrower fields than those which treat only "the elements."

Judged by these standards Dr. Forman's book falls short of the first requirement and attempts to cover too wide a field. There are only occasional suggestions as to where additional material may be found, and consequently the statements in the text, because of their brevity, sometimes convey an impression, if not false at least only partially correct. For example, in the discussion of the house of representatives it is stated: "Every bill must be duly discussed and must be disposed of in an orderly, decent way." Again, "The senate goes about legislation in a reposeful, dignified way. It does not have to hurry for it always has at least four years to accomplish its purposes." Anyone familiar with the present condition of congressional procedure would be badly misled by such sentences as these. If the discussion must be left so brief, the student should at least be shown where a more exact and adequate treatment may be found. The second criticism to be made is the broad field which the author attempts to cover. It is impossible to treat in these less than four hundred pages the topics usually discussed in texts on political theory, constitutional law, party government, charities and corrections, public finance, and general jurisprudence without making the discussion elementary and fragmentary. In spite of its defects it should be stated that the book is written in a very entertaining style and will, doubtless, lead many to an acquaintance with the subject it treats who would be repelled by more detailed studies.

Fuller, H. B. *The Speakers of the House.* Pp. xiii, 311. Price, \$2.00. Boston: Little, Brown & Co., 1909.

Sketches of speakers of the House form the warp upon which most of this book is woven. It takes its color from other men. The first two-thirds especially are devoted to discussions which drift far from the speakership. Newspaper quality is in evidence repeatedly—"after heroic periods of national grandeur the state . . . embraces the repose of inertia." "The brazen age of commerce" and the "seductive atmosphere of distant Washington" make it impossible to "revel in the carnival of intellect" which the House offered early in the century. It will jar on many after being told that Clay "drank to excess," was morally loose and "seemed to . . . prefer the plausible to the solid," to read that "through an intervening century he stands out clearly the typical American."

The book improves decidedly when recent congressional history is reached. The author evidently has a good first hand experience of Washington. His discussion of the "Revolution" under Reed, puts that partisan contest in a new light. The estimate of Cannon and analysis of his power are well done. The recent changes in the rules of the House are also discussed. They will bring about but little change in Congressional procedure.

Garr, M. *Die Inseratensteuer.* Pp. 73. Price, 2m. Wien: F. Deuticke, 1909.

Gibson, T. *The Cycles of Speculation.* Pp. 187. Price, \$1.50. New York: Moody Corporation.

Goodnow, F. P. *Municipal Government.* Pp. ix, 401. Price, \$3.00. New York: Century Company, 1909.

Grant, P. S. *Observations in Asia.* Pp. xi, 141. Price, \$1.25. New York: Brentano's, 1908.

Mr. Grant made a trip around the world in company with Bishop Potter in 1899-1900. This series of side lights on the East gives us his impressions at the time. Chief emphasis is placed on the Philippine problem and the position of the missionaries in China. There are also several interesting chapters, descriptive of the journey itself. In the discussion of the Philippines there are many sweeping generalizations and contrasts which a decade has proven to be inaccurate or unjustified. The conclusions are too often based upon what happened to come to the notice of the traveler.

In the portion dealing with missions, however, the author is upon solid ground. The chapter on Christian missions and social progress is one of the soundest statements that have been made to justify missionary work in the East. "As a scheme of salvation attested by the miraculous, Christianity in the East cannot succeed." "Swapping miracles with a brown man or a yellow man is an unedifying business—as an Occidental, as a Christian, as a modern, then the missionary's appeal and justification to-day is visible social progress." Clean life, mental and physical; pure family relations; a just penal system and universal brotherhood; these are the things the missionary must emphasize in order to lead the Oriental to the larger meaning of Christianity.

Haines, C. G. *The Conflict over Judicial Powers.* Pp. 180. New York: Longmans, Green & Co., 1909.

This volume is one of a series of studies in history, economics and public law, edited by the faculty of political science of Columbia University. Its six chapters deal respectively with the judicial powers before the adoption of the federal constitution; the early conflicts over judicial nullification by federal courts; the extension of federal judicial authority; the conflicts over the extension of judicial authority; the principles of the Jacksonian democracy, and judicial powers from 1856 to 1870.

It is not to be expected that this subject of constitutional history could be exhausted within so brief a compass as 180 pages, so the author tells us that the said essay "is the outgrowth of a special study of one of the problems of constitutional law begun at Ursinus College in 1903 and is intended to serve merely as an introduction to a more exhaustive treatise."

It fully measures up to this purpose. While it does not attempt to discuss the principles underlying the conflict, it is an admirable and concise history of the conflict itself, as evidenced by the leading judicial decisions, executive messages, legislative debates and contemporaneous newspaper comments.

To the student who desires a general knowledge of the subject and familiarity with the arguments advanced by the strongest advocates, pro and con, this little book will prove of value. The author has been happy in his selection of material and is unusually clear and concise in statement.

Hall, Bolton. *The Garden Yard.* Pp. xv, 321. Price, \$1.00. Philadelphia: David McKay, 1909.

"The Garden Yard" is far more definite and helpful than either "A Little Land and a Living" or "Three Acres and Liberty," by the same author. The book deals specifically with soil fertility and methods of preparing land for intensive gardening. Each garden vegetable is taken up in turn, and a short discussion is given of its habits and growth, and the method best calculated to secure the largest returns from the cultivation.

After dealing generally with methods, the last portion of the book discusses specifically the production of the various crops. While planned along similar lines, the book falls distinctly below the standard set by such books as Bailey's "Principles of the Vegetable Gardening." In no cases does the author show better judgment than when he emphasizes the necessity of hard work if success in gardening is to be attained.

Hall, Bolton. *A Little Land and a Living.* Pp. 287. New York: Arcadia Press, 1908.

The book differs but slightly from the author's earlier work, "Three Acres and Liberty." In some cases even the chapter headings are similar and the grouping of the material is much the same. The book is very general and, in view of its declared object, might even be called discursive, covering all phases of agriculture from the buying of the land to the producing of the crop. There are sections on vacant lot cultivation; record yields of crops; soil tillage; the forcing of winter vegetables; the raising of live stock, fruit, vegetables, flowers; the proper buildings for a small farm, and finally a plan for the development of a sanitarium. "Three Acres and Liberty" was equally discursive and general, but while one such book is valuable, two books of such a nature by the same author are scarcely pardonable.

Hardie, J. K. *India.* Pp. xvi, 126. New York: B. W. Huebsch, 1909.

One can but feel, in reading these interesting sketches, that the author went to India to criticise, yet there is so much current official praise of the English administration of India that we welcome any discussion from the other side.

Mr. Hardie finds that the "revenue" is a heavy charge upon India and that its increase is a cause of growing discontent. The government lacks human sympathy, the Indians are practically shut out of the higher positions, the English treat them with disdain, even drawing the color line on the railways. In addition many bad blunders, notably the partition of Bengal, have offended native feeling. As a result the Indian is disgruntled but not disloyal. Sedition, Mr. Hardie asserts, is a hobgoblin that exists only in the minds of officials. The system of taxation should be reformed—payments in kind should be restored; the military expenditure, now that Russia is no longer feared, should be cut down; public spirit, now repressed, should be cultivated. Above all "the government—lifeless, soulless and impersonal" should be given a touch of human sympathy and the Indian should no longer be forced to ask "Why will not the English trust us?"

Henderson, C. R. *Social Duties from the Christian Point of View.* Pp. xiii, 332. Price, \$1.25. Chicago: University of Chicago Press, 1909.

Horrocks, J. *Railway Rates.* Pp. 485. Price, 21s. London: S. Sonnenschein & Co., 1909.

Jensen, C. O. *Essentials of Milk Hygiene.* Translated by L. Pearson. Pp. 291. Price, \$2.00. Philadelphia: J. B. Lippincott Company, 1909.

In these days all the world goes to Denmark to learn how the highest class dairying is done. The last to go was the late efficient and much lamented state veterinarian of Pennsylvania, who translated this book written by a professor in the Royal Veterinary and Agriculture College in Copenhagen.

"No food under ordinary conditions is so exposed to contamination, so easily contaminated, or so fosters contamination as milk, hence the necessity for the study of milk hygiene. . . . Microscopic and bacteriological examinations of milk show that a very large proportion of the city supply fails to meet even a moderate standard for cleanness, thus revealing the need for measures at the seat of production and during transit to prevent injurious contaminations."

This book was written for those persons who would produce clean milk and preserve its cleanness, and it places at their disposal the latest available information. The awakening interest is shown by the fact that this, the second and enlarged edition, was called for within a year after the publication of the first.

Johnson, Emory R. *Elements of Transportation.* Pp. xvii, 360. Price, \$1.50. New York: D. Appleton & Co., 1909.

Lewis, F. W. *State Insurance: A Social and Industrial Need.* Pp. 233. Price, \$1.25. Boston: Houghton, Mifflin & Co., 1909.

"There is a principle underlying this discussion which is briefly comprehended in the maxim that every man is entitled to a living, or, stated in other words, that he is entitled to a living wage for his labor." In these words, the author states the premise of his argument. A strong carefully worked up arraignment of the conditions surrounding the life of the modern wage worker follows this statement together with an excellent presentation of the functions of a modern state. The state must move cautiously and deliberately, but it must move in the direction calculated to conserve the welfare of the individual. "There is a feeling widely prevalent, though not often bluntly stated, that it is legitimate for the state to assume a paternal attitude toward certain worthy classes, to enable them in turn to take a similar attitude toward others. The practice of this theory has always wrought untold misery and wretchedness."

The author's discussion of the incidence of state insurance is by no means satisfactory. There is no more important question connected with the problem than who bears the burden of the tax, and the author throws aside the question by saying that of course the burden is not borne by the average taxpayer. His explanation of his position is, however, neither adequate nor satisfactory.

The conclusions of the book are by no means so competently drawn as one might expect from a reading of the chapters on the problem and functions of a state. The author concludes in favor of state insurance, but his conclusions lack definiteness and directness.

Low, A. M. *Protection in the United States.* Pp. 167. CHOMLEY, C. H. *Protection in Canada and Australia.* Pp. xiii, 195. DAWSON, W. H. *Protection in Germany.* Pp. 259. MEREDITH, H. O. *Protection in France.* Pp. 194. Price, 3s. 6d. each. London: P. S. King & Son.

These comprise a series of handy volumes under the editorship of W. H. Dawson dealing with the practical operation of protection in the countries named. Each volume is written by an expert. The volume on Protection in the United States is a study of the origin and growth of the American tariff system and its economic and social influence. Its treatment is historic; its style is popular, though its contents show a wide knowledge of literature on the subject on the part of the author. Mr. Low has written an impartial historical survey of protection in this country endeavoring merely to state facts, from which every reader can draw his own conclusions according to his prejudices or predilections. The other volumes in the series are equally popular in style but written from a somewhat different standpoint. In their treatment the authors have added a moral to their tale. One has the feeling that they are trying to prove a thesis.

Masten, V. M. *The Crime Problem.* Pp. 156. Price, \$1.50. Elmira, N. Y.: Star-Gazette Company, 1909.

The author is military instructor at the Elmira Reformatory and has had opportunity to study the criminal and the institutions provided for him. The first two chapters dealing in a general way with crime are rambling and incoherent. Apparently the author views immigration as the chief factor in our crimes, yet he notes that crime seems to be increasing faster in England than it is here. In the third and fourth chapters the English prison system is well summarized. Then follows a clear description of the system Col. Masten advocates for American primary and secondary industrial schools, reformatories, convict prisons. He makes a plea for houses of reception and some better system of employing prison officials so that there may be an incentive for good work. The subject matter of the volume is good and deserves attention.

Mathews, John L. *Remaking the Mississippi.* Pp. 265. Price, \$1.75. Boston: Houghton, Mifflin & Co., 1909.

Mathews, John M. *Legislative and Judicial History of the Fifteenth Amendment.* Pp. 126. Baltimore: Johns Hopkins Press, 1909.

This monograph follows a similar study of the Fourteenth Amendment. The study divides itself into chapters, on the growth of the movement in favor of the amendment, its formulation in Congress, congressional interpretation, adoption by the states, enforcement legislation and judicial interpretation. As in the case of the Fourteenth Amendment, it is shown that the intent of Congress was wider than the scope finally given to the amend-

ments by the courts. The later chapters especially present a clear view of the process by which the broad interpretation originally given was cut down by the higher courts through the series of cases extending from *McKay vs. Campbell* to *Williams vs. Mississippi*. The material used in the monograph is chiefly drawn from the congressional discussions and the court reports. The study is careful and its spirit is judicial.

Maybon, Albert. *La Politique Chinoise.* Pp. 268. Price, 4 fr. Paris: V. Giard et E. Brière, 1908.

Mr. Maybon presents an interesting series of studies of the shifting phases of Eastern politics which, though often elusive, are of first importance in international affairs of the present day. The survey covers the period from 1898 to May, 1908, and is divided into chapters treating the Manchu court, the conservative movement, the reformist school and the revolutionary party. All factors non-political have been omitted. The author has had at his command a wealth of untranslated Chinese documents which he has used with the greatest skill. His secondary references are to only the most reliable authorities. An extended personal acquaintance with China also gives the discussion weight. No recent monograph presents so well the present status of Far Eastern politics.

McCain, C. C. *The Diminishing Purchasing Power of Railway Earnings.* Pp. 111. New York: By the Author, 1909.

Misawa, T. *Modern Educators and their Ideals.* Pp. 304. Price, \$1.25. New York: Appleton & Co., 1909.

Mumford, Eben. *The Origins of Leadership.* Pp. 87. Price, 50 cents. Chicago: University of Chicago Press, 1909.

Leadership is considered first in its relation to the science of sociology and to the social process. It is discussed in both its innate and acquired aspects and its evolution is traced through the associations of some of the lower animals, of children, and, in particular, of hunting people, the main problem being to show its relation to the development of personality and the various institutions.

Leadership originates and centers about the problems, crises and changes in the conditions of the group-life and the leader may function either in the maintenance or change of institutions. The hunting type of life through its long duration has given us the fundamental patterns of association. Leadership in this type of association requires extraordinary keenness of the senses of sight and hearing, exceptional endurance, promptness of decision, superior ability in making motor co-ordinations, and direct, immediate, personal adaptation of the social habits of the group to new situations. Leadership is usually determined by purely personal qualities and by merit, for at this stage ownership of property, the principle of inheritance, and other aids to position in the group have not developed far. Institutions as distinguished from control by instincts or unanalyzed customs originate in the stimulating and inhibiting influences that arise through the conscious direction of social activity on the part of some superior individual or group of superior individ-

uals. In most cases leadership among hunting people is temporary and poorly defined, but the more favorably located groups show beginnings of institutionalization of almost all the elemental social impulses and interests. In some instances in the expression of political interest, the principle of inheritance of rank and property is fairly well established. In the councils of the Australians and American Indians we have the beginnings of the various kinds of deliberative bodies of more highly organized societies.

In religion the clearness of the concept of the deities or preternatural leaders is in direct proportion to the degree of development of leadership and authoritative personages with definitely recognized prerogatives and superior personal attributes that make them stand out clearly from the other members of the group.

Munro, W. B. *The Government of European Cities*. Pp. ix, 409. Price, \$2.50. New York: Macmillan Company, 1909.

There is no subject in political science more intimately associated with everyday life than city government. Our own lack of success in the management of our urban populations also makes any study of means and results in other countries welcome. Professor Munro gives us in this book a study of French, Prussian and English cities. He has made the study a real contribution to the literature of comparative government by contrasting the systems of Europe with each other and with the general practice in the United States. French and German experience and practice are first discussed, each occupying about one hundred pages, then the latter half of the book is devoted to the government of English cities—a proportion justified by the greater importance of the latter to the American student.

Each section begins with a historical resumé bringing out the development of the present position of the city in the national life. The importance of the Revolutionary period in France, the Stein-Hardenberg reforms in Germany and the reformation of city government in England following 1835, are all well brought out. The newness of the city problem in Germany, the continuity of city life in England, "the classic land of urban concentration" receive extended attention.

Next follow analyses of the present structure and function of the systems of city government. We learn who the city authorities are, how they are elected, what are their powers and how these are exercised. Typical services are discussed in detail to illustrate the general practice in other departments. Paris and London are treated separately because of the exceptional arrangements in force due to the location of the national capitals within them. In discussing English cities it is brought out that the reform which has wiped out the corrupt governments of the first third of the nineteenth century was not accomplished by a change in organization, but chiefly by the new civic spirit that has made itself felt in the administration.

Numerous references to sources and secondary authorities throughout the book place additional material at the command of the student. At the end of the book also there is an excellent working bibliography.

Dr. Munro's book is the most important recent addition to the litera-

ture of comparative municipal government. It should be read by everyone interested in local government and its improvement.

Murphy, E. G. *Basis of Ascendancy.* Pp. xxiv, 250. Price, \$1.50. New York: Longmans, Green & Co., 1909.

Osborn, C. S. *The Andean Land.* 2 vols. Pp. xxviii, 643. Price, \$5.00. Chicago: A. C. McClurg & Co., 1909.

Pratt, J. B. *What is Pragmatism?* Pp. xii, 256. Price, \$1.25. New York: Macmillan Company, 1909.

In philosophical circles in recent years no subject has awakened more general interest than that which is known as "pragmatism." This volume is made up of half a dozen lectures given by the assistant professor of philosophy at Williams College to a summer group. The author endeavors to present to the ordinary man and woman the significance of this new philosophy, by showing that truth is not the hard and fast thing as formerly conceived, but is rather the outgrowth of certain relationships and varies, therefore, with individuals. The discussion is summed up under such headings as "Meaning and Method in Pragmatism," "The Ambiguity of Truth," "The Pragmatic View of the Truth Relation," "Pragmatism and Knowledge," "Pragmatism and Religion," with a final lecture on "The Practical Point of View." This so-called "practical point of view" is to make us realize that truth is a means to an end rather than an end in itself, that truth and knowledge are implements to be used for the achievement of a higher life.

Punnett, R. C. *Mendelism.* Pp. 112. Price, 50 cents. New York: Wilshire Book Company, 1909.

The greatest discovery in biology since Darwin's time and a discovery greater than his in its economic results is the newly-discovered law of heredity known as Mendelism, after its first discoverer, Gregory Mendel, an Austrian monk, who worked it out fifty years ago and cast it, an unappreciated pearl, before a world that saw not. It has been recently discovered simultaneously by four other men. In brief the law is this: The crossing of animal or vegetable parents differing in one or two qualities will result in offspring whose qualities will be a mixture of those of the parents in a proportion that can be numerically predicted and numerically verified. Plant and animal breeding henceforward become but a kind of manufacture in the hand of a breeder. Already a vast literature has arisen, but his little book is the gist of it. It is published with an introduction by that most ingenious socialist, Mr. Gaylord Wilshire, who would have us see that Mendel's law overturns some of the strongest objections to socialism.

Reinsch, Paul S. *Readings on American Federal Government.* Pp. vii, 850. Price, \$2.75. Boston: Ginn & Co., 1909.

Beard, C. A. *Readings in American Government and Politics.* Pp. xxiii, 624. Price, \$1.90. New York: Macmillan Company, 1909. Contemporary accounts of important movements and events are being drawn upon more and more by educators to enliven the study of the social sciences.

These two excellent volumes are the result of the demand for compilations of extracts which shall place within small compass what could otherwise be obtained by the student only in the larger libraries and even there only by great expenditure of time and effort.

Professor Reinsch addresses himself exclusively to selections illustrating the processes of the central government. The extracts are almost without exception from first-hand authorities—the men who have exercised the powers they discuss. The "Congressional Record" is sifted to secure the most vivid expressions on public problems, chiefly of the present day. As is to be expected the discussions drawn upon are largely senatorial, since the house is no longer a distinctively debating body. Special emphasis is placed upon extracts showing the procedure in Congress and its defects—for example, the rules of the house and the recent developments toward a modification of the time-honored "senatorial courtesy." Outside criticism of the government is drawn upon only when the public debates fail to show the points to be illustrated. The plan adopted for the volume makes it especially useful for university classes where the student can be relied upon to reason out for himself the problems suggested by the debates.

Professor Beard's volume aims to cover a larger field in a smaller space. National, state, and municipal governments are treated, and many of the selections show the historical development of governmental powers rather than their present status. Necessarily, too, the extracts are shorter. They are so short in some cases that the setting is hardly made clear enough for the beginner. On the other hand this compactness keeps the point well in the mind, an advantage often hard to keep when the thought must be followed through the prolixity of a congressional debate. Professor Beard draws freely upon outside discussions of government, departmental publications, statutes at large, court decisions and campaign arguments. The selections are well suited to accompany an elementary course in government in either college or secondary instruction.

Schloss, D. F. *Insurance Against Unemployment.* Pp. x, 132. Price, 3s. 6d.

London: P. S. King & Son, 1909.

The author divides his work into a discussion of compulsory insurance and voluntary insurance against unemployment. In dealing with compulsory insurance, he cites but one illustration, that of St. Gall. However, in discussing voluntary insurance, he uses numerous excellent illustrations furnished by Berne, Venice, Cologne and a score of other European cities. The author's description of the insurance systems in vogue in these various cities is rather general but good.

The book is written from an English standpoint, and the conclusions, therefore, relate to the unemployment problem as found in England. The author favors a system of assisted voluntary insurance which must be national in character and organized by trades. While the arguments are not by any means conclusive, the book presents an excellent, brief discussion of the subject of insurance against unemployment.

Scott, W. D. *The Psychology of Advertising.* Pp. 269. Price, \$2.00. Boston: Small, Maynard & Co., 1908.

Professor Scott's latest contribution to the literature on advertising must be regarded as an elaboration of his Theory of Advertising published some years ago. After reviewing the psychological principles which the advertiser should keep in mind in constructing his appeal, Professor Scott illustrates the uses and the applications of these principles in every day advertising work.

The volume is valuable for the concise and simple way in which many psychological principles have been stated, for the excellent illustrations taken from current advertisements of wide circulation, and for the presentation of the results of experiments made by the author upon his classes in Northwestern University. As a comprehensive treatise upon the subject of advertising, or a text-book for the use of classes in advertising, the book is by no means ideal. As a method of arousing the student's interest in the subject, of teaching him logical methods of investigation, and as a stimulus to the application of scientific principles to this art, it is without an equal at the present time.

Sinclair, U., and Williams, M. *Good Health and How to Regain It.* Pp. 302. Price, \$1.20. New York: F. A. Stokes & Co., 1909.

Sweet are the uses of adversity. Mr. Horace Fletcher was refused life insurance, and he started on a series of investigations of nutrition which has resulted in his well-known system of thorough mastication, reduced food, low consumption of proteids and increased health and vigor. Professor Irving Fisher, of Yale, had tuberculosis, with the result that he is doing splendid work in the great and much needed movement toward improved national hygiene. Messrs. Sinclair and Williams had respectively nervous prostration and tuberculosis and have investigated Messrs. Fletcher, Fisher, the work of Dr. Chittenden, at Yale, and of Metchnikoff, of Paris, who tells us that we may live to be 120 by the use of yogurt and the elimination of deleterious bacteria in the alimentary canal. They also investigated Kellogg and his famous Battle Creek Sanitarium where people recover on one vegetarian meal per day. The results of all this dietary and hygienic investigation are well summarized by Messrs. Sinclair and Williams, who tell how they put them into practice and regained their health.

Small, Albion W. *The Cameralists.* Pp. xxv, 606. Price, \$3.18. Chicago: University of Chicago Press, 1909.

Smith, C. Henry. *The Mennonites of America.* Pp. xviii, 484. Price, \$2.00. Scottdale, Pa.: Mennonite Publishing Company, 1909.

In this work the origin and the history of the Mennonite church and a description of the Mennonite people are given. The Mennonites have been a quiet rural people with little interest in government and the affairs of the world. They were the founders of the first German colony in America, and were numbered among the earlier pioneers of the West.

The author speaks of Menno Simons, the founder of the church in The

Netherlands; of the persecutions of these people on the continent; of their early settlements at Germantown, Pa., and at Pequea, Lancaster County, Pa.; of their friendly relations with the Indians; of their principles, culture, customs and literature, and of the development of their church.

As a historical work it is carefully planned and the facts well founded. Its value to students of social science lies in its clear analysis of the social life of a rural people.

Spiegel, L. *Die Verwaltungsrechtswissenschaft.* Pp. 222. Price, 5.50 m. Leipzig: Duncker & Humblot, 1909.

St. Maur, Kate V. *The Earth's Bounty.* Pp. 430. Price, \$1.75. New York: Macmillan Company, 1909.

This is an interesting and inspiring account of the way a city family went back to the land and succeeded after years spent in unconfessed failure in the quest of fame and fortune in many cities. The new life in the country was begun on a rented place with twelve acres of land, where three years of success demonstrated the ability to use more land, which was secured and the success was extended. Mrs. St. Maur is a sample of that class of most successful farmers who come from town free from bias of how grandfather did it, and have applied their brains to the business, and have sought light in that now large fund of printed material at agriculturists' disposal. The book is therefore partly practice and partly the result of scholarly investigation of the work of others. Its scholarly origin in combination with the previous city experience of the author gives the book at times a suburban tinge and fantastic touch which, however, does not keep it from being of interest to that large class in cities and elsewhere who would do well to follow the author's example.

Van Dyne, Frederick. *Our Foreign Service.* Pp. 316. Price, \$2.50. Rochester, N. Y.: Lawyers Co-operative Publishing Company, 1909.

Mr. Van Dyne's previous works on Citizenship and Naturalization are exhaustive legal treatises intended for study and reference. The object of this volume, by contrast, is to put in popular form a description of the organization of our foreign service and the duties of its officers. The style shows that the book is intended for the general reader or for him who is just entering upon a study of the subject. Two hundred pages of text are divided into four chapters which present a very readable discussion of the Department of State, Our Diplomatic Service, Our Consular Service, Citizenship, Expatriation and Passports. Each subject is brought well up to date by a discussion of the latest laws and department regulations. The last hundred pages are devoted to a select bibliography and appendices presenting the forms used in consular and diplomatic correspondence and a list of the officers of our present service abroad. In comparison with the space devoted to the text of the book the prominence given to these technical and changing subjects is disproportionate.

Zahn, F. *Die Finanzen der Grossmächte.* Pp. 144. Berlin: Carl Heyman, 1908.

Extreme care has been taken to make the comparisons in this monograph trustworthy. The material was originally collected under the auspices of the German government. Dr. Zahn compares the income, expenditures and debts of the nine Great Powers. The statistics cover the period 1893-1905. Especial attention is paid to the source of the revenues, the object of the expenditures and the amount of the public debt, central and local, in comparison with population and total national wealth. Germany is used as the standard of comparison. The main conclusions are: Public revenue and expenditures are greater in Germany than in the other states; public expenditures are rapidly growing in the empire especially for productive ends and for the military—though in this not so markedly as in France, Great Britain and Russia. There are still important unexhausted sources of income, especially tobacco, liquors and inheritances. Germany is in at least as good a financial condition as England.

REVIEWS

Birdseye, Clarence F. *The Reorganization of Our Colleges.* Pp. 410. Price, \$1.75. New York: The Baker & Taylor Company, 1909.

The thesis of the author is simple, his suggestions few but far reaching. Our colleges, modelled after English schools, were at first practically homes for young boys in constant contact with their masters and under their control. Time has brought great changes. The boys are now older, have become young men, in fact, competent of self-government. The home idea is lost, students and faculty are no longer intimate and nine-tenths of the student's time is spent away from his instructors. The students' activities are not chiefly those of the classroom. Formerly college was a professional training school for ministers and a few others. Now it is a great culture medium for many others and a few ministers.

What is done, or to be done, to meet these changes? Very little has been done, the author says. Put the college on a business basis is the solution. Separate the executive and the pedagogical fields. Have a staff whose business it is to "follow up" these students and prevent failure. The teacher cannot do this. Study the "waste heap" as does the chemist of a factory. Systematize the work. Limit the students to the number for which present endowment is adequate. Pay decent salaries. Reward successful teachers. The fraternity houses are the model for the home life of the students and their success only emphasizes the colleges' failure. Athletic management is the model for the business reorganization. Learn from it.

Our colleges are no longer private home schools. They are great public institutions, quasi-state in fact, all more or less supported by public funds. Therefore the public must insist on adequate management and better results.

The author presents a great mass of evidence. No honest observer

doubts that many changes are needed. This volume should be read by every member of every faculty and every trustee, whether the author's ideas are accepted or not.

From a literary standpoint the book is greatly marred by its redundancy. One gets wearied by having the same thought constantly presented. It must be remembered too that the picture drawn will not apply equally at all points and to all schools. This the author often says. For instance, in some colleges the finances are well managed.

Mr. Birdseye states that the chief duty of the college is to prepare for citizenship and therefore that the intellectual is not alone to be considered. Here he goes too far. It is no more the business of the college to prepare for citizenship than it is of the home, the public school, the church, or any other social institution.

The author may be too sanguine as to the benefits of the changes he suggests. Be this as it may, the time is surely ripe for improvement. Mr. Birdseye says political science is to be the backbone of the new college course. Does the fact that he is a lawyer color his opinion? Why study the state rather than other social institutions? In one respect he is right, the study of man, his history and his institutions is destined to supplant those studies whose roots as well as whose tops are in the air.

CARL KELSEY.

University of Pennsylvania.

Cleveland, F. A., and Powell, F. W. *Railroad Promotion and Capitalization in the United States.* Pp. xiv, 368. Price, \$2.00. New York: Longmans, Green & Co., 1909

This work is distinctly the best of all recent contributions to the history of railroad construction. Its title is misleading, as it deals but briefly with many subjects which the reader would expect in a book on present day "Railroad Promotion and Capitalization." It is a concrete financial history of railroad construction in the aggregate, and it is the intention of the authors to treat present-day promotion and capitalization in a separate volume.

Fully and with authorities cited, the various factors which influenced the construction of the railway net-work are explained—the inadequacy of canals, and turnpikes, the embargo and war of 1812, the effect of early experiments and literature, the rivalry between competing ports and inland cities, traffic conditions, local, state and federal aid, private ways and means of procuring capital.

While the work is primarily historical, two chapters in particular dealing with promotion of to-day have been inserted. One of them contains a welcome discussion of a subject of which but little has thus far been written, namely, "financial institutions and syndicates as agencies of capitalization." The other deals with the "promotion of private companies." The views on investment, speculation and gambling expressed in this chapter are

open to serious criticism. It is held that "investment is a capital venture which is entered upon as the result of calculative judgment. In principle speculation is gambling, the difference being a matter of law. The gambler or the speculator places a wager on the happening of one or more events, over which he has little or no control. In case the stipulated event does not happen according to the terms of the agreement, the speculator or gambler usually forfeits all right to the capital ventured, *i. e.*, he loses his margin or wager. . . . The stock speculator may not know even the location of the railroad or other enterprise whose stock is margined. The only facts before his mind are the market quotations of yesterday and today, his only hope is for a fluctuation in the price which will determine the wager or contest in his favor . . . Investment, on the other hand, carefully considers the industry, enterprise or security to be purchased. . . . From the point of view of general welfare, speculation and gambling are vicious."

The presence of gambling in the stock market and the trading on margins has doubtless confused the writer of these views. There is far greater difference between gambling and speculation than there is between speculation and investment. Gambling is a matter of blind chance, but speculation is as much a matter of calculative judgment and careful consideration of industry, as is investment. Gambling is a wager on prices, but speculation involves the purchase or sale of actual property. The bucket-shop keeper must be distinguished from the legitimate broker. Likewise, the idea that the purchase of stocks outright is investment, while the purchase on margin is gambling is fallacious. Any purchase made in the hope of a rise in price, whether for cash or on margin is speculative. The margin does not make it gambling any more than the operation of a grocery store on money partly borrowed makes it gambling. It is equally wrong to say that the speculator depends only upon market quotations while the investor studies fundamental conditions. Any purchase or sale for a rise or a fall in value is speculative. Pure investment depends upon the yield of the security in interest or dividends, and as soon as the investor is influenced by an expectation of gain through a future change in the security's value he becomes speculative. There are very few investors who are not also speculators. There is no similarity between gambling and speculation, but a very close connection between speculation and investment. Gambling is vicious, but there is nothing wrong in sane speculation.

This criticism in no way should detract from the historical treatment which makes up the bulk of the volume. It is an authoritative historical work of the highest merit. The abundant citations of consulted authorities give evidence of the vast amount of labor performed, and the bibliography is in itself a contribution to railroad literature. Every library and student of railway history should have a copy as a bibliographical reference and as an excellent history of railroad construction.

GROVER G. HUEBNER.

University of Pennsylvania.

Coolidge, Mary Roberts. *Chinese Immigration.* Pp. 531. Price, \$1.75. New York: Henry Holt & Co., 1909.

Chinese immigrants have few defenders. Mrs. Coolidge has made a thorough study of the facts and her investigation leaves her champion of the Chinese. The discussion is careful, detailed, convincing, one that should be read by every student of immigration problems whether he agrees with all the conclusions of the author or not.

Public documents have so often been questioned as sources of information that it is not surprising to find abundant contradiction of their testimony here. Mrs. Coolidge shows that the information presented to Congress was in major part manufactured evidence. The Chinaman was made the victim of a "California for Americans" movement which had already driven out Chilenos, Mexicans and French. The outbursts of ill feeling against him were caused by economic pressures quite independent of his alleged competition with white labor. He did not take the job of the white man, but took the job the white man would not take—filled in, in labor which the white despised.

The legislation against the Chinese was inspired by the laboring class who, when periodically out of employment, due to seasonal occupations, hard times, or the completion of great railroads, blamed the Chinaman who by his adaptiveness was better able to weather the storm. Sharp and justified criticism is given our various exclusion laws and particularly their present administration. Even Californians now feel their injustice, the author asserts. "The Anti-Chinese cry no longer deceives anybody in the West. Certainly the time is not far off when the wave of Mongolian-know-nothingism will vanish." In view of recent events this is indeed sanguine. Even on the ground of assimilability the author regards the Chinaman as a desirable immigrant and good prospective citizen. He is much to be preferred to the former Irish and present Italian comers against whom every serious charge leveled at the Chinese can be justly made. Restricted immigration we should have, but one obtained by a horizontal exclusion to keep out the lower stratum, not by a perpendicular exclusion against any race.

This is one of the best studies of a race problem we have seen. It is optimistic, perhaps too optimistic at times, but the statements made are discriminating and the conclusions generally sound.

CHESTER LLOYD JONES.

University of Pennsylvania.

Davidson, J., and G. A. *The Scottish Staple at Veere: A Study in the Economic History of Scotland.* Pp. xii, 453. New York: Longmans, Green & Co., 1909.

This volume is another illustration, and a most welcome one, of the great difference, which exists between the history of North Britain and the history of South Britain. The neglect of Scottish history in America is re-

sponsible for the strange fact that American students, working on the comparative method, whether in law, or politics or economics, are always drawing parallels or contrasts between English and French or German or Spanish or Italian conditions and neglecting the more obvious use to be made of Scottish history. This has been particularly true so far in the field of economic history.

The student of English economic history is perfectly familiar with the workings of the English staple and, if he hears of a Scottish staple, assumes it to be the same kind of thing. "The English staple was developed in order to concentrate trade and with the object of facilitating the collection of customs duties" (p. 337, 338). "It was thus to a large extent a fiscal device" (p. 339). "The object kept in view was the increase of revenue, rather than the privilege of merchants or the general welfare of trade" (p. 340). "The exclusion of foreigners from the trade was no essential feature in the system" (p. 340). "In the Scottish staple on the contrary, the attitude to the foreign trader was one of rigid exclusion. The development of the nation's trade, or rather the prosperity of the merchant classes in the royal burghs, was the object kept in view by the Convention, and any participation in trade by unfreemen, by unfree burghs, or by foreign merchants, was regarded as taking away some portion of that trade, which, in the view of the Convention was the right of freemen of the free burghs." These quotations show the essential thesis of the book and draw out a very interesting contrast between English and Scottish economic history.

But, though the Scottish staple is the main subject of the book, the authors have dealt with the whole question of the organization of Scottish trade. In doing so they have brought out the importance of the Convention of Royal Burghs and its services and drawbacks to the development of Scottish prosperity. There is nothing like this in English history. Most interesting, though not of the same importance to the student, is the account given of the life of the Scottish mercantile colony at Veere or Campvere in the Netherlands, of their church and factory, of the powers of the Conservator, and the conditions of their existence. The book is well illustrated with views of old Veere and does honor to the industry and intelligencel of the late Professor John Davidson of the University of New Brunswick and of Mr. Alexander Gray, who has completed the work from Professor Davidson's notes.

H. MORSE STEPHENS.

Berkeley, Cal.

Devine, E. T. *Report on the Desirability of Establishing an Employment Bureau in the City of New York*. Pp. 238. Price, \$1.25. New York: Charities Publishing Company, 1909.

This report considers the advisability of establishing an employment bureau on a business basis, but by philanthropic men whose purpose it is to make

such a bureau a genuinely effective agency for the remedy of unemployment. The report reviews the attempts of both public and commercial employment bureaus to distribute labor and to find work for the unemployed. The inadequacy of these agencies is clearly shown, the former suffering from political interference and the latter being quite unreliable as well as disreputable to a considerable extent. Charitable employment bureaus have not been successful.

The report itself is very brief, the larger portion of the book consisting of appendices comprising material germane to the subject. The replies to letters of inquiry regarding the existence of unemployment and the need of such a bureau show how little accurate knowledge on the subject we actually possess at the present time. More information is a prerequisite for successful work of this character. The investigation of newspaper "want ads" brings to light very interesting information both in respect to the methods of advertisers and of newspapers, and the experience of an investigator in trying to get work illustrates the seriousness of the problem of unemployment during the last winter. "Trade Unions as Employment Agencies" is another valuable appendix. In fact the various appendices furnish very useful material for reference purposes on the general subject of unemployment.

The report favors the establishment of an employment bureau as outlined above. Its success is a question regarding which the reader must suspend judgment. Unless the hearty co-operation of laborers and employers can be gained and all distrust vanquished the experiment will hardly be satisfactory.

GEORGE B. MANGOLD.

St. Louis, Mo.

Holdsworth, W. S. *History of English Law.* 3 Vols. Pp. 1564. Price, \$4.00 each. Boston: Little, Brown & Co.

Various phases of English law have been the subject of detailed historical study but the lack of a general survey induced the author, the vice-president of Saint John's College, Oxford, to attempt this comprehensive work. Every student of comparative institutions will welcome the addition which the volumes make to our knowledge of English jurisprudence. The first volume, which originally appeared in 1903, sketches the framework within which the law acts—the courts and their jurisdictions during the various periods. Most constitutional questions in England have been fought out in the law courts and the political side has often been emphasized by the historians almost to the exclusion of the legal standpoint. Mr. Holdsworth emphasizes the juristic side of these cases to show the development of the laws as a system rather than their social-historical significance.

The last two volumes deal with the various branches of the law itself. Here the social and historical factors of necessity become more prominent. In part the treatment is chronological and in part by topics—

where the latter method makes it easier to show the development of legal doctrine. The subject treated is so large that the history is not completed even by the thousand pages added by these volumes. The Anglo-Saxon and Mediæval Periods are discussed—also the later history of those branches of the common law which attained practically their final form in the mediæval period but the great body of legal development in modern times is still untouched. To cover even so large a field as that treated by Mr. Holdsworth, it has been necessary to make extended use of the monographic researches of other scholars. Indebtedness to other scholars, especially Maitland, is evident and acknowledged throughout the work. To the student of institutions the latter volumes are much the more valuable. The discussion of the way in which Roman law infiltrated into the English and the extent of its influence is exceptionally well done. The same is true of the shift from judge-made to statute law and the development of the law relating to land. Not the least valuable portions of the book are the detailed appendices in which the author has collected an excellent selection of documents to illustrate the early forms of wills, writs and conveyances.

CHESTER LLOYD JONES.

University of Pennsylvania.

Jones, H. *Idealism as a Practical Creed.* Pp. 299. Price, \$2.00. New York: Macmillan Company, 1909.

Not quite the idealism of Berkeley, nor of Kant, notwithstanding the Categorical Imperative; but a still more sublimated and spiritualized idealism than that of Hegel, even, whose teaching is so thoroughly assimilated by the author, an idealism made up of the teachings of Hegel and Carlyle, of Wordsworth and Browning; an idealism in which mind, that has so large a part in the idealism of Hegel, is dominated by spirit.

Wordsworth, expressing himself in the spirit of the writer of the one hundred and fourth Psalm, saw and felt God in all nature. "I have felt," he says,

"A Presence that disturbs me with the joy
Of elevated thoughts."

With Browning, "Love was the supreme motive of his art, and the principle upon which his moral and religious doctrine rests." Love he thought "the sublimist conception attainable by man—the one way in which he dares define his God;—a life inspired by love is the most perfect form of goodness, and is therefore at once man's absolute ideal of conduct, and alone the object worthy of his worship."

"There is no good of life but love."

From Browning's "In a Balcony."

And what is this but the idealism of the New Testament?—of St. Paul, St. John, of Jesus?—love, the fulfilling of the law, love, the greatest of all things. This love, this altruism, is not to be confined to one's own immediate family, kindred, or neighborhood. Let our desires and our aims

concern themselves with the social good, the good of the city and the state. "The measure of manhood," to quote from our author, "is the fulness and generosity of its interests. The diviner the man the wider the world for which he lives and dies. It does not matter what a man does or has, if the current of his life sets inward he is but a greedy animal."

Were the counsels of perfection so engagingly presented for our consideration in this volume only acted upon, this world would be a different sort of world,—indeed, a veritable Utopia.

Lovers of Tennyson will regret the lack of any note of his contribution to this idealistic philosophy. What visions of social life and civic duty in "The Golden Year," "Love and Duty," "Locksley Hall," and "In Memoriam!"

"Ah! when shall all men's good
Be each man's rule, and universal Peace
Lie like a shaft of light across the land,
And like a lane of beams athwart the sea,
Thro' all the circle of the Golden Years?"

MARY LLOYD.

Philadelphia.

Macfarland, C. S. (Ed.). *The Christian Ministry and The Social Order.*

Pp. 303. Price, \$1.25. New Haven, Conn.: Yale University Press, 1909.

This volume consists of a number of lectures on social questions chosen from a course in pastoral functions given at Yale Divinity School in 1908-1909. They deal with the relation of the minister to human society and indicate the definite, concrete tasks and problems which face the Christian ministry.

In his introduction, the author presents a plan for placing theological schools in touch with the life of the churches and of human society, by appointing men who are successful ministers in average pastorates, or labor and social leaders, as instructors to supplement the work of the regular professors. His two lectures, dealing with the relation of the ministry to the realization of democracy and to industrial organizations, demonstrate the opportunities for effective social work by the minister beyond the limits of his parish. Other discussions include the following: Trade Unions, by Henry Sterling and John Mitchell; Wage-Earners, by Rev. Edwin B. Robinson; Non-English-Speaking People, by Rev. Ozora S. Davis; The Rural Community, by Rev. Wilbert L. Anderson; The Ministry to Men, by Rev. Anson Phelps Stokes, Jr.; Mental Healing, by Rev. George B. Cutten, and Industrial Movements, by Rev. Frederick Lynch.

This work is a valuable contribution to social science, indicating the desire of modern theology for a comprehensive grasp of social problems by the ministry. It represents a movement among religious thinkers to enlarge the interests and activities of the Church by dealing sanely with social and economic conditions.

S. EDWIN RUPP.

Lebanon, Pa.

McPherson, L. G. *Railroad Freight Rates in Relation to the Industry and Commerce of the United States*. Pp. 441. Price, \$2.25. New York: Henry Holt & Co., 1909.

There are several chapters in this volume of particular interest because of their wealth of information. Such are those on "The Transportation Charge and Prices," "Regional Rate Structures," "Commodity Rate Structures" and "Traffic Experts in the Employ of Shippers." Their main value lies in the extensive data which has been collected rather than in the deductions that are drawn.

The volume unfortunately lacks logical arrangement of the subjects discussed. It is confusing to read of the influence of the Interstate Commerce Commission in one chapter, of "traffic experts in the employ of shippers" in the next, of "the commerce of the cities" in a third, and then of the comparison between the carriers and the agricultural and manufacturing industries. Some chapters seem quite irrelevant, for, at least as treated by the author, they deal solely with commerce and trade methods and do not, as the title would indicate, show the relation between rates and commerce. Other matters intimately related to the subject are but briefly touched upon. Nine pages, for instance, are devoted to the entire subject of rate wars, pools and traffic agreements and four pages are devoted to the private car system. The subject of "early rivalries and the beginnings of through service" is disposed of in eight pages and of these only one paragraph is devoted to all the fast freight lines of the present.

The author accepts practically all present day practices as correct. The regional and commodity rate structures, for instance, are extensively outlined, but are accepted part and parcel because they were thus evolved by the railways. Nothing is said of the early abuse of fast freight lines and nothing of the abuse of private car privileges. The customary railroad view, that the early failure of the Interstate Commerce Commission to overcome certain evils was due not to lack of power but to the wasting of time in "the laying down of general rules," is accepted. Rebates and favoritism, it is held, injured individual shippers in competition with their "shrewder rivals," but did not retard the industry and commerce of the country. In no instance does overcapitalization affect the rates of the shipper. Rebates to-day have "admittedly ceased to exist."

The author very correctly points out that business considerations have been the leading factor in the making of freight rates and in the inauguration of many traffic practices. But to disregard wholly the existence of other more artificial and sometimes personal forces may lead the reader astray. In the aggregate the rate structure as made by business considerations is equitable and reasonable and the carriers may justly be commended for services rendered; but it is none the less true that unfair rates and practices have existed and have required public correction.

G. G. HUEBNER.

University of Pennsylvania.

Münsterberg, H. *Psychotherapy*. Pp. 401. Price, \$2.00. New York: Moffat, Yard & Co., 1909.

The mind may be regarded from two points of view. It is a willing subject. This is the basis of literature, art, religion. But the mind is also an association of objective facts to be explained. This is the field of psychology. Psychotherapy has the same relation to psychology that engineering has to physics. Psychology knows no indescribable elements. Volitions, emotions, etc., are all complexes of sensations. Psychology is a definite science because mental facts are parallel to brain facts, and in this way they can be scientifically described. There is no purely mental disease. Psycho-physiology is the physician's point of view. There is nothing abnormal about suggestion. There is no action which has not its opposite. Full vividness belongs only to those sensations whose channels of motor discharge are open. Actions are inhibited when their motor channels are closed. This takes place when opposing channels are held open. Suggestion proper exists only when resistance has to be overcome. No one can be hypnotized against his own will. Any one may be provided he is willing to enter into this play of imagination. To hypnotize, except in the interest of health, is criminal. The subconscious is a disposition of the physiological centers. This definition suffices for normal life, and there is no reason to change it when dealing with the abnormal. This view makes no less of suggestion and hypnotism.

The statement that every mental process involves a brain process does away with appeals to psychotherapy as proving the subconscious or the triumph of the mind over the body. Psychotherapy has no contempt for drugs. It is not a question of morals or of philosophy but of experience. Religion as a sense of a larger will often inhibits disturbances and favors health where central inhibitions interfere with the normal functions of the organism. But for psychotherapy religion must fall in line with other mental processes whose relation to health must be determined by experience. Psychological symptoms are only a fraction of the disease. It is not the function of the clergy to understand disease, physical or mental. Religious emotions often upset the equilibrium of the nervous system. Psychology is the most immediate need of the medical curriculum. Hypnotism is not as injurious as morphine or Roentgen rays. But such diseases as hysteria are not intelligible without psychology. The physician must know psychology for emotions, etc., affect the blood supply as well as drugs.

J. DASHIELL STOOPS.

Iowa College.

Noyes, A. D. *Forty Years of American Finance*. Pp. 418. Price, \$1.50. New York: G. P. Putnam's Sons, 1909.

In 1898 Mr. Noyes published his interesting and serviceable narrative of American financial history for the period 1865 to 1897. His new book is the older work rewritten with a continuation of the narrative down through the panic of 1907. Mr. Noyes notes in his preface that he has made no

important changes in the facts and conclusions found in the earlier book, except that in his later work he does not ascribe to John Sherman sole authorship of the Resumption Act nor responsibility for its defects. (p. 27.)

After a very brief treatment of the Gold Standard Act of 1900, the author begins the new part of his book with a chapter on the tremendous industrial boom which marked our recovery from the effects of the panic of 1893. The remarkable and significant increase in the world's output of gold, the marked rise in prices, especially of agricultural products, between 1897 and 1900, the victory of the gold party, the Dingley tariff, the "American Invasion," railway reorganization, the Spanish and Boer Wars are dwelt upon in this chapter. The amalgamation of companies, the manipulation and multiplication of new industrial stocks, and the rich man's panic of 1903, are factors of the chapter on the speculative mania of 1901. The advancing cost of living, the growing strain on capital, the financial significance of the Russian-Japanese war, high money rates and predictions of impending disaster, trust manipulators, the New York life insurance investigations, the Northern Securities case, the \$29,000,000 fine, and the Hepburn law, are the subjects found in the next three chapters. The book closes with an interesting twenty-six page exposition of the panic of 1907.

Mr. Noyes has necessarily taken up a large number of factors bearing on the financial period 1896 to 1907, in his one hundred and twenty-four moderately sized pages; many would prefer a fuller discussion of some of these factors, others will perhaps be glad of the author's brevity. However that may be, Mr. Noyes has written a very interesting and serviceable narrative of a period of American finance marked by movements and events full of the greatest significance to the American people.

RAYMOND V. PHELAN.

University of Minnesota.

Peyton, J. H. *The American Transportation Problem.* Pp. 204. Price, 50 cents. Louisville: Courier Journal Publishing Company, 1908.

This book deals exclusively with the movement for improved inland waterways. The author begins his arraignment by charging that the movement is "based on prejudice and lack of information as to actual transportation conditions and developments." This prejudice, he claims, is due largely "to the misrepresentations by venal demagogues and socialistic agitators who obtain office and preferment by stirring up bitterness and hatred between different classes of society." To brand the friends of inland waterways, many of whom are wholly removed from politics and some of whom are prominent railroad men, with such intentions at once discloses the bias which pervades the whole book. The modern improvement of inland waterways he likens to the South Sea and Mississippi Bubbles; the plans of engineers favoring reservoirs, he says, "though amusing, grow wearisome in the superabundance of absurdities." European waterways and government railways he pronounces unqualified failures, upon the authority of Hugo R. Meyer, who,

after "twelve years of investigation and profound study . . . adduces conclusive proofs" to that effect.

Mr. Peyton is wholly beside the point when he says that the movement for waterways is one of "demagogues, muck-rakers and agitators." There is no desire to harm the railroads, but to promote both railroad and water transportation, the latter to supplement the former in the carriage of certain classes of freight. The book is the most violent arraignment of inland waterways thus far written, but is written in such a jocular tone that it will perhaps never exert much influence.

G. G. HUEBNER.

University of Pennsylvania.

Pickett, W. P. *The Negro Problem.* Pp. x, 580. Price, \$2.50. New York: G. P. Putnam's Sons, 1909.

Moved, doubtless, by his admiration for Lincoln as well as by the desire to profit by his authority, the author uses as a sub-title "Abraham Lincoln's Solution." The frontispiece is an excellent photograph of Lincoln and in the text some little space is given to telling of Lincoln's attitude.

The author, a northern lawyer, has taken pains to read a good part of the literature on the subject. His thought is clear, his style good. The wide range of quotation and historical sketches add much to the interest of the volume. Of first hand knowledge of existing conditions there is no evidence. Mr. Pickett states that the "white man and the negro are at opposite extremities of the scale. In physical, mental and moral traits they are as far apart from each other as the poles." Present inferiority of the blacks is evident. There is an "absolute unassimilability." Race antipathy is an "insuperable barrier to the negro's progress."

This attitude of the whites Mr. Pickett does not discuss. In his judgment it is a permanent feature. Whether the inferiority be physical or social matters not. In America the negro can never become part of us. Industrial, business, political equality involve social. The last cannot be—hence no chance for the others. Thus the superior group limits the progress of the inferior and the reverse is equally true.

What can be done? Present policies ineffective. The progress of the negroes invites trouble—does not ward it off. There is but one way. Gradually ship the negroes to some other land—any warm region outside the United States—where, unhindered by the whites, they may work out their fortune. One hundred million dollars a year for some forty years and all is over. That there are tremendous difficulties the author sees—he may even consider them insuperable—if so, he will agree with the reviewer. Nevertheless, the plan deserves some consideration.

The author's tone is balanced, his attitude very fair. He deprecates, as does every student, certain great and obvious evils in our life as a result

of the negro's presence. His statements are generally accurate, though lack of personal observation leads him into some errors of judgment.

CARL KELSEY.

University of Pennsylvania.

Van Rensselaer, Mrs. S. *History of the City of New York in the Seventeenth Century.* Two vols. Pp. xl, 1173. Price, \$5.00. New York: Macmillan Company, 1909.

Author, publishers and public have cause for felicitation on the completion of these handsome volumes giving us a satisfying history of the first century of the imperial city on Manhattan. The first volume deals with its career under the Dutch. With much but not excessive detail the causes and modes of the settlements are shown; the organization of the superior and local governments and the infinite complications and irritations arising between the home and colonial authorities are lucidly set forth; the clashes of local factions and the collisions with New England and New France are effectually exhibited; and the welter of futilities due to the "dull short-sightedness" of the paternal government under the divers governors is convincingly portrayed. In the second volume we are shown the causes and courses of the reorganization under the English, the autocratic and uneven rule of the royal governors, the predominance of European considerations, the growing popular discontent that culminated in Leisler's stormy career. The narrative closes with the latter's execution. While the author's major theme is the political history of the city, yet much attention is given to developments in industry and trade, to religious matters and to the social customs of the people. The persistence of sundry notable families and their continuous prominence in the life of the city and state and frequent references to present-day families give a personal touch to the narrative.

In passing judgment on the manner in which the author has accomplished her task one might easily fall into the pit of panegyric. Every page of the history demonstrates that her recital is the issue of extensive, minute and critical studies of documentary sources. She subjects tradition and the various contradictory claims of chroniclers to sharp scrutiny. She may entertain strong partisan views, but if so they are kept in check. Upon moot points there is a noteworthy fairness, fulness and frankness in the gathering, sifting and presentation of evidence and judicial caution in expressing conclusions that secure confidence in the efficiency of her investigations and the correctness of her findings. The style is engaging—calm, direct, lucid, forceful, solid, with no fine writing at all. With such masses of data assembled, the crispness and compactness of the exposition, the skilful weaving of numerous bits of extracts into a vigorous, easy-flowing narrative, implies masterful compression in composition. If the volumes to follow fulfil expectations thus created we shall have indeed a *magnum opus*.

F. I. HERRIOTT.

Drake University, Des Moines.

Vernon, Mrs. H. M. *Italy from 1494 to 1790*. Pp. viii, 516. Price, 5s. 6d.
Cambridge: University Press, 1909.

This book is not up to the high standard of most of the other works in the series to which it belongs. It purports to deal, as its title implies, with the history of Italy from the invasion of Charles VIII of France to the beginning of the Revolutionary era, and the author tells us in her preface that she proposes to lay stress on the period after 1559 "about which it is difficult for the ordinary reader to obtain information." But the implied promise is scarcely fulfilled. Nothing is more needed, for instance, than a clear and scholarly description of the administration of the Spanish dependencies in Italy in the last half of the sixteenth and seventeenth centuries, and in a book like this one has a right to expect it. Instead we find in Chapter III a scrappy and often inaccurate collection of data on this topic, which is clearly inferior to the account in Ranke's "Die Osmanen Monarchie und die Spanische" and, by the way, are we to assume that Mrs. Vernon is ignorant of this classic work, or are we expected to recognize it under the title of "History of the Latin and Teutonic Nations from 1494-1514," which appears in the bibliography? Tommaso Campanella is certainly worth more in a work of this scope than the dozen lines allotted to him on page 284. The account of the Papacy and administration of the states of the church would have been enormously improved by a perusal of Herre's "Pabstthum und Pabstwahl im Zeitalter Philipps des Zweiten" of which there is no mention; his "Evropäisch Politik im Cyprischen Krieg," on the other hand, is scarcely sufficiently near to the subject of this work to merit the place it holds in the selected bibliography.

Of actual errors of fact there are few, though minor inconsistencies and infelicities in nomenclature abound; but the work as a whole gives an impression of being patched together, of lack of unity, and of absence of historic background. It will doubtless serve a useful purpose in giving the English-speaking student who is ignorant of continental languages a tolerable hand-book for a period of which he otherwise would have to remain in ignorance, but it cannot for one moment pretend to rank with the standard French, German, or Italian authorities.

ROGER B. MERRIMAN.

Harvard University.

War in the Far East. By a military correspondent of the "Times." Pp. 656.
Price, \$5.00. New York: E. P. Dutton & Co.

Though this book was written from daily reports sent to the "Times" during the Russo-Japanese war, it remains the best account of the conflict from the Japanese side that has yet appeared. England's ally is consistently upheld, but the partisanship is not an unreasoning one and the author does not hesitate to give praise to Russia and the Russians when it is due. Then, too, there is a certain glow about the reports coming, as they do, direct from

the field of action, which makes much otherwise detailed reading have an absorbing interest.

England and Russia, so the argument runs, are in unalterable antagonism. "The firmest bond that unites England and Japan is the mutual distrust . . . of Russian policy." Japan, England and the United States must stand together for the open door. Japan is the most ardent champion of this principle and is the most sincere protector of China. The war was all important for the island empire. "After all, Russia is fighting for its dinner and Japan for its life."

The war operations are reviewed in detail. Like most writers, the author underestimated what the Russians could accomplish with the Trans-Siberian, and therefore did not foresee the importance the war was to assume even after the disaster to the fleet. "How is the Russian camel to pass through the eye of the Trans-Siberian needle." Russian unpreparedness is criticised, the Port Arthur experience is held to show that fortresses may quite as often be a source of weakness as of strength.

The battle descriptions are vivid and clear. A wide command of history, especially from its military side, enables the author to draw comparisons with past experiences, especially the Boer and Crimean wars, which will be valuable to the tactician as well as to the historical student. Mr. Percy Fisher's maps of the campaigns are admirable. The author is highly to be congratulated on his success in securing the use of these drawings which make every move in the campaign intelligible. The book closes as it begins with a warning to England. The performance of the Trans-Siberian is held to be the greatest of proofs that Russia could threaten England in India and that the two countries by opposition of interests must remain natural enemies.

Public opinion and international policies have shifted since the war and perhaps if the book were written to-day the viewpoint would be changed. Japan is no longer the most sincere advocate of open-door principles and the treaty of 1907 seems to indicate that the English foreign office does not think an Anglo-Russian *entente* an impossibility. In its presentation of facts and reviews of historical analogies the book is highly to be commended.

CHESTER LLOYD JONES.

University of Pennsylvania.

INDEX OF NAMES

ABBREVIATIONS—In the Index the following abbreviations have been used: *pap.*, principal paper by the person named; *b.*, review of book of which the person named is the author; *r.*, reviewed by the person named.

- | | |
|-------------------------------------|-------------------------------------|
| Addams, Jane, 215, 216 | Blaine, J. G., 523 |
| Alexander the Great, 240 | Blake, M., 558 |
| Alexieff, 209 | Blandin, Mrs. I. M., 175, <i>b.</i> |
| Allen, H. N., 173, <i>b.</i> | Blow, Susan E., 425. |
| Allen, W. H., 195, <i>b.</i> | Bok, E., 88 |
| Anaxagoras, 330 | Bonaparte, N., 23 |
| Anderson, G. E., 559 | Boone, D., 175 |
| Anderson, W. L., 621 | Booth, C., 59, 65 |
| Andrelev, 200 | Bordwell, P., 175 |
| Andrews, C. S., 85-89, <i>pap.</i> | Boyd, R. R., 425 |
| Andujar, M., 173, <i>b.</i> | Braun, M., 360-62, <i>p.</i> |
| Angell, J. R., 218 | Brewer, D. J., 287 |
| Angier, A. C., 195, <i>b.</i> | Bridgman, R. L., 425 |
| Anson, W. R., 173, <i>b.</i> , 186 | Brodé, J. L., 560, 561 |
| Antony, M., 206 | Brooks, P., 49 |
| Arthur, C. A., 354 | Browne, J. C., 602, <i>b.</i> |
| Atchison, D. R., 212, 213 | Browning, R., 620 |
| Attila, 240 | Bruce, H. A., 175, <i>b.</i> |
| Augustus Cæsar, 206 | Bruce, R., 58 |
| Aurelius, M., 9 | Bruce, W. S., 64 |
| Austin, O. P., 563-68, <i>pap.</i> | Brückner, A., 199, <i>b.</i> |
| Ayres, L. P., 601, <i>b.</i> | Bryan, W. J., 581 |
| Bacon, F., 203 | Bryce, J., 218, 277, 284, 313 |
| Baddeley, J. F., 197, <i>b.</i> | Buckle, H. T., 203 |
| Bagehot, W., 5 | Burke, W. M., 574 |
| Bailey, 605 | Burnett, A. G., 257-61, <i>pap.</i> |
| Bain, A., 64 | Burns, J. A., 176, <i>b.</i> |
| Bainbridge, W. S., 174, <i>b.</i> | Burstall, Sara A., 176, <i>b.</i> |
| Baker, H. D., 558 | Buschkiel, A. H., 602 |
| Baker, P. A., 574 | Butler, W. A., 280 |
| Bancroft, F., 213 | Butman, A. B., 560 |
| Barlow, T. W., 87 | Cæsar, J., 23, 205, 206 |
| Barnard, J. L., 203-5, <i>r.</i> | Calvert, A. F., 177, <i>b.</i> |
| Barnes, R. H., 159 | Camp, Rev., 159 |
| Barnett, Canon, 174, <i>b.</i> | Campanella, T., 627 |
| Barnett, Mrs. S. A., 174, <i>b.</i> | Canada, W. W., 559 |
| Barr, M. W., 17 | Cannon, J. G., 603 |
| Barrett, J., 521-30, <i>pap.</i> | Carden, G. L., 560 |
| Barrie, J. M., 66 | Carlyle, T., 203, 620 |
| Bartleman, R. M., 559 | Carnegie, A., 28, 179, 498 |
| Baschurtz, K., 601 | Carson, J. M., 557 |
| Beard, C. A., 610, <i>b.</i> | Carter, C. B., 539-46, <i>pap.</i> |
| Beaulieu, M. L., 437 | Cattell, H. W., 87 |
| Beaulieu, P. L., 198, <i>b.</i> | Chamberlain, A. H., 177, <i>b.</i> |
| Becu, C. A., 175, <i>b.</i> | Chancellor, W. E., 200, <i>b.</i> |
| Bellom, M., 425, <i>b.</i> | Channing, E., 177 |
| Bellot, H. H. L., 184, <i>b.</i> | Chapin, R. C., 177 |
| Bennet, W. S., 117-124, <i>pap.</i> | Charles VIII., 627 |
| Benolst, C., 601, <i>b.</i> | Chase, S. P., 214 |
| Bentham, J., 277 | de Chavonnes, D. P., 396 |
| Benton, T. H., 175 | Chittenden, R. H., 602, 612 |
| Berkeley, G., 620 | Choate, R., 356 |
| Bernhard, E., 601 | Chomley, C. H., 607, <i>b.</i> |
| Beveridge, W. H., 175 | Chrlichfield, G. W., 202, <i>b.</i> |
| Bezobrazoff, 209 | Cicero, 205 |
| Bingham, T. A., 121 | Clark, W. A. G., 560 |
| Birdseye, C. F., 614, <i>b.</i> | Clavery, E., 425, <i>b.</i> |
| Bismarck, Prince, 437 | Clay, A., 198 |

Index of Names

- Clay, H., 603
 Clayton, 401
 Cleveland, F. A., 178, 425, 615, *b.*
 Cleveland, G., 355, 356
 Clifford, H., 425
 Cobden, R., 551
 Coffin, W., 558
 Coke, Lord, 279
 Commons, J. R., 242, 243
 Comstock, A., 87
 Comte, A., 57
 Connor, J. E., 559
 Conyngham, T., 201, *b.*
 Cooley, C. H., 178, 432, *b.*
 Coolidge, Mary R., 340-50, *pap.*, 617 *b.*
 Cooper, F. B., 334
 Cornman, O. P., 151, *et seq.*
 Cortelyou, G. B., 88
 Coryn, S. G. P., 262-68, *pap.*
 Cowen, J., 425
 Crawford, W. H., 178, *b.*
 Crozier, J. B., 203, *b.*
 Cullen, E. M., 279
 Curtis, G. W., 275
 Curwood, J. O., 426
 Cushman, A. S., 509, 510
 Cutten, G. B., 621
- Daish, J. B., 178
 Dana, C. A., 179
 Dana, C. L., 81-84, *pap.*
 Darius I., 240
 Darwin, C. R., 3, 9, 20, 331, 610
 Darwin, E., 20, 22, 203
 Davenport, C. B., 16-21, *pap.*
 Davidson, G. A., 617, *b.*
 Davidson, J., 178, 617, *b.*
 Davis, M. H., 560, 561
 Davis, M. M., 426, *b.*
 Davis, O. S., 621
 Dawson, W. H., 178, *b.*, 434, *b.*, 607, *b.*
 Day, J. R., 573
 Dealey, J. Q., 179
 Delaney, J. C., 91
 De Leon, E. W., 51
 Demolins, M. E., 63
 Denison, G. T., 179, *b.*
 Denison, T. S., 602, *b.*
 Derby, Earl of, 436
 De Soto, H., 559
 Devine, E. T., 179, 435, *b.*, 618, *b.*
 Dewe, J. A., 180
 Dicey, A. V., 186
 Dingley, N., 479
 Dodd, W. F., 180, *b.*
 Domoto, 384
 Donaldson, C. S., 555-62, *pap.*
 Doren, G. A., 17
 Douglas, S. A., 212, *et seq.*
 Dreher, J. D., 558
 Dudley, C. B., 508
 Dumas, A., 135
 Du Maurier, G. L., 135
 Duncan, A., 62
 Dunning, J. E., 559
 Dunning, W. A., 213
 Dutton, S. T., 203, *b.*
 Dwight, W. B., 106
- Earhart, Lida B., 426
 Eastman, F. A., 602
 Eckman, G. B., 215
 Edkins, J., 241
 Edward I., 58, 59
 Eldershaw, P. S., 410-23, *pap.*
 Elliot, T. L., 300-305, *pap.*
- Elizabeth, Queen, 108
 Emerson, R. W., 63, 203
 Errera, P., 602
 Evans, L. B., 180, *b.*
 Evans, W. E., 575
 Ewing, E. W., 426, *b.*
- Ferrero, G., 180, 205, *b.*
 Field, M., 92
 Fillebrown, C. B., 181
 Findley, A. I., 496-506, *pap.*
 Finley, J. H., 181, 426, *b.*
 Fisher, I., 612
 Fisher, P., 628
 Fletcher, H., 612
 Flint, C., 338
 Foltz, E. B. K., 181, *b.*
 Ford, W. C., 180
 Forman, S. E., 602, *b.*
 Foster, J. W., 288
 Fouse, L. G., 578-83, *pap.*
 Fox, H. F., 485-95, *pap.*
 Frankenthal, L. J., 560
 Franklin, B., 133, 165
 Frear, W. F., 244
 Fremont, J. C., 175
 Fry, W. H., 181
 Fuller, H. B., 603, *b.*
 Fussell, M. H., 157
- Galton, F., 20
 Gardiner, J. E., 368
 Garr, M., 603
 Gary, E. H., 498
 Geddes, P., 54-67, *pap.*
 Genghiz Khan, 240
 George, D. L., 437
 Gerry, E. T., 87
 Gibson, T., 427, 439-44, *pap.*, 603
 Giddings, F. H., 97
 Giddings, J. R., 275
 Gladstone, W. E., 581
 Goddard, F., 87
 Goethe, J. W., 203
 Gompers, S., 341
 Goodnow, F. P., 203, 604
 Gorky, M., 200
 Gorman, J. E., 158
 Gostic, I., 395
 Gowen, H. H., 329-37, *pap.*
 Grant, P. S., 604, *b.*
 Grant, U. S., 214
 Graves, F. P., 181, *b.*
 Gray, A., 178, 618
 Green, T. H., 108
 Grey, George, 396
 Griffiths, J. L., 557
 Grout, J. H., 558
 Gulick, Charlotte V., 427
 Gulick, L. H., 33-42, *pap.*, 335.
- Haines, C. G., 604, *b.*
 Hale, A., 592-600, *pap.*
 Hall, B., 605, *b.*
 Hallam, H., 186
 Hamilton, A., 135, 319
 Hardie, J. K., 605, *b.*
 Harper, S. N., 197-8 *r.*, 199-200, *r.*
 Harriman, E. H., 249
 Harris, E. L., 559
 Harrison, Mrs. C. C., 163
 Hart, A. B., 182, *b.*
 Hasbach, W., 436, *b.*
 Hastings, A. C., 467-70, *pap.*
 Havelock, H., 199

Index of Names

- Hawthorne, J., 109
 Hayes, E. A., 249, 251
 Hayes, R. B., 232, 284, 285, 353
 Hearn, L., 136, 173, 242
 Heckel, G. B., 507-11, *pap.*
 Hegel, G. W. F., 330, 620
 Henderson, C. R., 207, *b*, 606
 Henry, P., 47, 577
 Hepburn, A. B., 182, *b*.
 Hepburn, W. P., 251
 Herre, 627
 Herring, M., 211
 Herriott, F. I., 626, *r*.
 Hiatt, J. S., 200-1, *r*.
 Higginson, Ella, 182, *b*.
 Hill, J. J., 551
 Hillquit, M., 183, *b*.
 Holcombe, C., 286
 Holdsworth, W. S., 183, 619, *b*.
 Holland, T. E., 183, *b*.
 Hollis, W. L., 559
 Hood, Tom, 66
 Horrocks, J., 606
 Hotchkiss, W. E., 218, *r*.
 Houston, S., 175
 Houston, S. F., 163
 Howland, A. C., 205-7, *r*.
 Huebner, G. G., 615-616, *r*, 622, *r*, 624-25, *r*.
 Hurd, J. C., 281
 Hutchinson, W., 37, 43-47, *pap.*
 Huxley, T. H., 203
 Ibu Khaldun, 186
 Igarashi, E., 383
 Ijichi, Vice-Admiral, 332
 Irish, J. P., 294-299, *pap.*
 Irwin, W., 331, 332
 Jacobi, A., 165
 Jaffa, M. E., 349
 James I, 58
 James VI, 58
 Jefferson, T., 175, 186, 277, 318
 Jenks, J. W., 184
 Jensen, C. O., 427, 606, *b*.
 Johnson, A., 22-29, *pap.*
 Johnson, A. B., 547-51, *pap.*
 Johnson, C. D., 532-38, *pap.*
 Johnson, E. R., 210-11, *r*, 606
 Johnston, M. G., 427
 Jones, C. L., 195-7, *r*, 202, *r*, 209-10, *r*, 212-13, *r*, 213-14, *r*, 216-17, *r*, 351-59, *pap.*, 434, *r*, 617, *r*, 619-20, *r*, 627-28, *r*.
 Jones, H., 620, *b*.
 Jones, J. E., 559
 Jones, L. A., 184, *b*.
 Jordan, D. S., 185, *b*.
 Jowett, B., 432
 Juvenal, D. J., 9
 Kalaniana'ole, J. K., 244
 Kaneko, K., 242, 338-39, *pap.*
 Kant, I., 620
 Kearney, D., 232
 Kelley, Florence, 90-96, *pap.*
 Kellogg, J. H., 612
 Kelly, E., 427
 Kelsey, C., 3-8, *pap.*, 167, 195, *r*, 219-20, *r*, 432-33, *r*, 614-15, *r*, 625-26, *r*.
 Kennedy, J. B., 185, *b*.
 Key, Ellen, 208, *b*.
 King, H., 556
 Kipling, R., 258
 Kirkham, S. D., 427, *b*.
 Kittesato, S., 299
 Knox, J., 107
 Knox, P. C., 560
 Kohler, M. J., 275-93, *pap.*
 Kuropatkin, A. N., 209, *b*.
 Landis, K. M., 548
 Lam Hong Wai, 363
 Lansing, Marlon F., 177
 Lasalle, F. J. G., 199
 de Las Cases, P., 185, *b*.
 Latifi, A., 427, *b*.
 Lay, J. G., 559
 Lazard, M., 428, *b*.
 Lecky, W. E. H., 436, *b*.
 Lee, J., 153
 Leishman, J. G. A., 556
 Leo XIII, 170
 Leonidas, 239
 Lermontov, M. I., 197
 Lewis, F. W., 606, *b*.
 Lewis, W. D., 313-28, *pap.*
 Lichtenberger, J. P., 97-105, *pap.*
 Lincoln, A., 214, 275, 625
 Lindsay, A. B., 209
 Lingelbach, W. E., 436-37, *r*.
 Lloyd, Mary, 215, *r*, 620-21, *r*.
 Loch, M., 63
 Lorimer, 55
 Low, A. M., 607, *b*.
 Lowell, P., 329
 Lownhaupt, F., 210, *b*.
 Luther, M., 108
 Lyman, W. D., 428
 Lynch, F., 621
 Macarthur, W., 239-46, *pap.*
 MacDonald, D. B., 185, *b*.
 Macfarland, C. S., 621, *b*.
 Macfarlane, J. J., 445-56, *pap.*
 Madison, J., 277
 Maguire, Margaret T., 149, *et seq.*
 von Mayr, G., 428, *b*.
 Mahomet, 23
 Maine, H. S., 277
 Maitland, F. W., 186, *b*, 620
 Mallery, O., 153
 Malthus, T. R., 3
 Mangold, G. B., 207-8, *r*, 428, 618-19, *r*.
 Manning, I. A., 559
 Marquez, L., 559
 Marr, 65
 Marsh, B. C., 163, 164
 Marshall, A., 104
 Marshall, J., 319
 Martel, C., 240
 Mary, Queen, 108
 Marx, K., 183, 199
 Mason, F. H., 557
 Masten, V. M., 607, *b*.
 Mathews, J. L., 607
 Mathews, J. M., 607, *b*.
 Mathews, S., 276
 Maurtua, A., 428, *b*.
 Maybon, A., 608, *b*.
 Maynard, L., 558
 McCain, C. C., 608
 McConnell, G. M., 186, *b*.
 McDougall, W., 438, *b*.
 McKim, W., 24
 McKinley, W., 175
 McMaster, J. B., 278
 McPherson, L. G., 622, *b*.
 de Medici, Catherine, 107
 Melancthon, P., 108
 Mendel, G., 610
 Meredith, H. O., 429, *b*, 607, *b*.

Index of Names

- Merriman, R. B., 627, *r*.
 Metcalf, V. H., 237
 Metchnikoff, 612
 Meyer, 88
 Meyer, H. R., 624
 Michael, W. H., 559
 Mikell, W. E., 317, 319
 Mill, J., 64
 Mill, J. S., 64, 203
 Millard, T. F., 195, *b*, 403-09, *pap*.
 Milner, A., 432
 Miltiades, 239
 Minns, 200
 Misawa, T., 608
 Mitchell, J., 125-29, *pap*., 621
 Mitchell, T. W., 210, *r*.
 Moltke, Count H., 212
 Mommsen, C. M. T., 205, 206
 Money, H. D., 242
 Monk, G., 65
 Montgomery, H. B., 187, 429, *b*.
 Moody, J., 210, *b*, 584-91, *pap*.
 Moore, D. H., 573
 Moore, J. B., 280
 Morrow, J. B., 574
 Mumford, E., 608, *b*.
 Munro, W. B., 609, *b*.
 Münsterberg, H., 187, 218, 623, *b*.
 Murdoch, W. G. B., 64
 Murphy, E. G., 610
 Mussey, H. R., 198-9, *r*, 215-16, *r*.
 Myers, W. J., 457-62, *pap*.
 Myers, W. S., 430, *b*.

 Neame, L. E., 395-402, *pap*.
 Nearing, Nellie M. S., 208-9, *r*.
 Nearing, S., 216, *r*.
 Neff, J. S., 151
 Nell, C. P., 215, 216
 Newlands, F. G., 245, 269-71, *pap*.
 Newman, J. H., 203
 Nitobe, I., 386
 Noyes, A. D., 187, 623, *b*.

 Ogilvie, Mary, 144, 156
 Okawahira, T., 379, 380, 382
 Olden, P. P., 410-23, *pap*.
 Osborn, C. S., 610
 Ostrogorski, M., 218
 Otis, E. S., 358
 Otis, W. B., 187, *b*.
 Ozmun, E. H., 559

 Parkes, H., 401
 Parry, D. M., 552-54, *pap*.
 Parsons, H., 48-53, *pap*.
 Pascal, B., 9
 Payne, S. E., 478
 Pearson, L., 427, 606
 Peck, Mrs. E. M. H., 430, *b*.
 Peckham, R. W., 287
 Pepper, C. M., 560
 Pericles, 138
 Perkins, G. C., 241
 Perry, O. H., 329
 Peyton, J. H., 624, *b*.
 Phelan, R. V., 623-24, *r*.
 Pickett, W. P., 625, *b*.
 Pierson, W. W., 188
 Posthumus, N. W., 430
 Potter, H. C., 604
 Powell, F. W., 178, 615, *b*.
 Pratt, J. B., 610, *b*.
 Punnett, R. C., 610, *b*.
 Putnam, J. D., 251

 Ranke, 627
 Rasmussen, K., 211, *b*.
 Rayndal, G. B., 559
 Ray, P. O., 212, *b*.
 Reed, T. B., 603
 Reeder, R. P., 187, *b*.
 Reinsch, P. S., 610 *b*.
 Restick, Bishop, 336
 Reynolds, J. B., 363-74, *pap*.
 Ricardo, D., 183
 Ripley, W. Z., 130-38, *pap*.
 Rivarola, R., 188, *b*.
 Robinson, E. B., 621
 Rodgers, J. L., 559
 Roosevelt, T., 50, 51, 138, 154, 237, 238,
 275, 287, *et seq*., 364 *et seq*.
 Root, E., 202, 319, 460, 523
 Rosengarten, J. G., 163
 Rosetti, D. G., 135
 Ross, E. A., 102, 289, 438, *r*.
 Ross, E. M., 286
 Rossiter, W. S., 71-80, *pap*.
 Rousseau, J. B., 277
 Rowell, C. H., 223-30, *pap*., 300
 Rowntree, B. S., 65
 Royce, J., 288, 292, 333
 Ruhl, A., 188, *b*.
 Rupp, S. E., 438, *r*, 621, *r*.
 Rush, B., 493
 Ruskin, J., 55
 Ryan, M., 471-76, *pap*.

 Saalfeld, C., 252
 Sanderson, J. F., 181, 426, *b*.
 Sargent, D. A., 9-15, *pap*.
 Sargent, F. P., 374
 Sargent, J. H., 333, 334
 Schaeffle, A. E., 199
 Schiller, J. C. F., 165
 Schloss, D. F., 611, *b*.
 Schouler, J., 189, *b*.
 Schurz, C., 213, *b*, 275
 Scott, C. A., 189, *b*.
 Scott, W., 58
 Scott, W. D., 218, 612, *b*.
 Seager, H. R., 190, *b*.
 Seller, C. L., 214-15, *r*.
 Seligman, E. R. A., 214, *b*.
 Seward, W. H., 175, 330
 Shahan, T. J., 169
 Shakespeare, 552
 Shaler, N. S., 278, 279
 Shamil, 198
 Shaw, C. S., 215, *b*.
 Sheldon, H. C., 190, *b*.
 Sherman, J., 624
 Sherrill, C. H., 556
 Sherwell, A., 65
 Shima, G., 254, 297
 Simons, M., 612
 Sinclair, U., 191, 612, *b*.
 Skinner, R. P., 559
 Small, A. W., 612
 Smith, A., 64
 Smith, C. H., 612, *b*.
 Smith, E. B., 430, *b*.
 Smith, G., 179
 Smith, J. A., 559
 Snedden, D., 203, *b*.
 Snodgrass, J. H., 559
 Solenberger, E. D., 160
 Sparks, J., 180
 Spencer, H., 3, 9, 57, 203, 242
 Spiegel, L., 613
 Stafford, W. V., 251
 Steiner, E. A., 216, *b*.

Index of Names

Stelzle, C., 215
 Stephens, H. M., 617-18, *r.*
 Stephenson, G. T., 282
 Sterling, H., 621
 Stevenson, Mrs. A., 111
 Stevenson, R. L., 9, 194
 St. Maur, Kate V., 191, 613, *b.*
 Stokes, A. P., Jr., 621
 Stoops, J. D., 623, *r.*
 Story, R. McC., 388-94, *pap.*
 Straus, O. S., 275, 287, *et seq.*, 364
 Stuart, Mary, 107
 Stubbs, W., 106, 186
 Sullivan, J. J., 201-2, *r.*
 Sumner, C., 170, 214, 275, 276
 Swayne, F. J., 319

 Taft, W. H., 289, 291, 365, 462, 473, *et seq.*, 549, 552
 Takahashi, H., 383
 Taney, R. B., 426
 Tarbell, Ida M., 90
 Tarde, G., 426
 Taylor, G., 215
 Taylor, H., 216, *b.*
 Taylor, H. C., 436, *r.*
 Tennyson, A., 621
 Thackara, A. M., 557
 Theal, 396
 Themistocles, 239
 Thompson, C. B., 431, *b.*
 Thompson, J. A., 3
 Thring, E., 200
 Thucydides, 138
 Timur, 240
 Titian, V., 20
 Togo, M., 380, 383
 Tolstoy, Count, 197, 200, 216
 Totten, R. J., 558
 de Tourville, H., 63
 Tower, Lurena W., 203, *r.*
 Tower, W. S., 211-12, *r.*
 Towler, W. G., 191, *b.*
 Toynbee, A., 432, *b.*
 Tudor, Mary, 107

 Van Buren, M., 186
 Van Cleave, J. W., 463-66, *pap.*
 Van Dyne, F., 558, 560, 613, *b.*
 Van Imhoff, Governor-General, 396
 Van Rensselaer, Mrs. S., 191, 626, *b.*
 Van Riebeck, 395
 Vernon, Mrs. H. M., 627, *b.*

Wakefield, E. A., 559
 Walker, Miss M. A., 65
 Walker, P. H., 510
 Wallace, A. R., 3
 Wallace, W., 58
 Wallas, G., 218, *b.*
 Wanamaker, J., 92
 Warfield, E. D., 106-114, *pap.*
 Washington, G., 180
 Watson, F. D., 435-36, *r.*
 Webb, Beatrice, 192, *b.*
 Webb, S., 192, *b.*
 Webster, D., 170
 Webster, P., 217
 Weismann, A., 22
 Weller, C. F., 192, *b.*
 Wells, H. G., 193, *b.*
 Wendell, B., 431
 Westermarck, E., 219, *b.*
 Westhelmer, M. F., 569-77, *pap.*
 Whitman, W., 477-84, *pap.*
 Wigmore, J. H., 281
 Wilberforce, W., 9
 Willes, Justice, 279
 William II, 555
 Williams, C. D., 194, 438, *b.*
 Williams, J. E., 512-19, *pap.*
 Williams, M., 191, 612, *b.*
 Williams, M. M. J., 194, *b.*
 Wilshire, G., 610
 Wilson, Mona, 65
 Winslow, A. A., 559
 Winthrop, J., 109
 Winthrop, Margaret, 109
 Witmer, L., 141-162, *pap.*, 163
 Witte, Count, 209
 Wood, S., 164
 Woodruff, C. E., 432
 Worcester, E., 156
 Wordsworth, W., 620
 Wright, C. D., 194, *b.*
 Wu Ting Fang, 241, 286, 290
 Wyman, W., 167

 Xerxes the Great, 239

 Yoell, A. A., 247-56, *pap.*
 Yoshida, Y., 377-87, *pap.*
 Young, F. G., 306-10, *pap.*
 Young, J. P., 231-38, *pap.*
 Yow, H., 290

 Zahn, F., 614, *b.*
 Zimmern, A. E., 205

INDEX OF SUBJECTS

[Titles of articles are printed in small capitals.]

- Accountancy. "Les Techniciens de la Comptabilité," by M. Bellom, note, 425
- "Advertising, the Psychology of," by W. D. Scott, note, 612
- "Alaska: The Great Country," by Ella Higginson, note, 182
- ALCOHOLISM AS A CAUSE OF INSANITY. See Insanity.
- Australia. THE EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA, 410-23. Australia and the Asiatic problem, 410; state legislation, 411; commonwealth legislation, 413; certificates of exemption and evasions, 415; provisions of the law, 415; present administration, 416; reasons for legislation, 417; conclusion, 421
- AUTOMOBILE SALES AND THE PANIC, 552-54. No real panic, 552; diffusion of wealth, 553
- Biology. "Mendelism," by R. C. Punnett, note, 610
- BREWING INDUSTRY, THE PROSPERITY OF THE. See Manufactures.
- California. THE JAPANESE PROBLEM IN CALIFORNIA. See Japanese.
- Children. "The Century of the Child," by Ellen Key, review, 208
- NATIONAL CHILDREN'S BUREAU, ESTABLISHMENT OF A, 48-53. Need of children's bureau, 48; the city child, 49; housing conditions, 50; employment of children, 51; why there should be a new department, 52
- THE SIGNIFICANCE OF THE DECREASING PROPORTION OF CHILDREN, 71-80. The decrease of births, 71; censuses and the birth rate, 72; longevity and the census figures, 73; birth rates by sections, 74; United States and Europe compared, 75; reason for decline in birth rate, 76; European statistics, 77; periods of national progress, 78; failure of the Anglo-Saxon, 80
- Chinese. CHINESE AND JAPANESE IMMIGRANTS: A COMPARISON. See Immigrant.
- CHINESE LABOR COMPETITION ON THE PACIFIC COAST, 340-50. Origin of Chinese immigration, 340; historical review, 341; early manufacturing conditions, 342; wage rates in various trades, 343; intermittent work, 344; competition in trades, 345; leather, woolen and tobacco trades, 346; displacement of white labor, 348; substitutes for Chinese labor, 349
- Christianity. "A Valid Christianity for To-day," by C. D. Williams, review, 438
- Church. "The Churches and the Wage Earners," by C. B. Thompson, note, 431
- CITY DETERIORATION AND THE NEED OF CITY SURVEY, 54-68. The old city and the new, 54; the city in history, 58; Perth and Dundee in history, 60; local ship building, 61; Dundee manufacturers, 62; evolution of local characteristics, 64; historical explanation of local conditions, 65; present problems, 66
- Civics. "Advanced Civics," by S. E. Forman, note, 602
- Civil Service. "The Federal Civil Service as a Career," by E. B. K. Foltz, note, 181
- "Collectivism," by P. L. Beaulieu, review, 198
- Congress. "The Speakers of the House," by H. B. Fuier, note, 603
- Constitutional Law. "The Law and Custom of the Constitution," by W. R. Anson, note, 173
- "Legal and Historical Status of the Dred Scott Decision," by E. W. Ewing, note, 426
- "Legislative and Judicial History of the Fifteenth Amendment," by J. M. Mathews, note, 607
- Constitutions. "Modern Constitutions," by W. F. Dodd, note, 180
- Corporations. "A Manual of Corporate Management," by T. Conyngton, review, 201
- Crime. IMMIGRANTS AND CRIME. See Immigrant.
- Diplomatic Service. "Our Foreign Service," by F. Van Dyne, note, 613
- DISTILLING INDUSTRY, PRESENT AMERICAN BUSINESS CONDITIONS IN THE. See Manufactures.
- Economics. "The Earth's Bounty," by Kate V. St. Maur, note, 613.
- "Economics," by H. R. Seager, note, 190
- "Garden Yard," by B. Hall, note, 605
- "Lectures on the Industrial Revolution of the Eighteenth Century in England," by A. Toynbee, note, 432
- "A Little Land and a Living," by B. Hall, note, 605
- "The Scottish Staple at Veere: A Study in the Economic History of Scotland," by J. and G. A. Davidson, review, 617

Index of Subjects

- "The Standard of Living Among Workingmen's Families in New York City," by R. C. Chapin, note, 177
- Education. "The Administration of Public Education in the United States," by S. T. Dutton and D. Snedden, review, 203
- "The Catholic School System in the United States," by J. A. Burns, note, 176
- "A History of Education Before the Middle Ages," by F. P. Graves, note, 181
- "History of Higher Education of Women in the South Prior to 1860," by Mrs. I. M. Blandin, note, 175
- "Impressions of American Education in 1908," by Sara A. Burstall, note, 176
- "Laggards in Our Schools," by L. P. Ayres, note, 601
- "Our City Schools, Their Direction and Management," by W. E. Chancellor, review, 200
- "The Reorganization of Our Colleges," by C. F. Birdseye, review, 614
- "Social Education," by C. A. Scott, note, 189
- "Standards in Education," by A. H. Chamberlain, note, 177
- Eskimos. "The People of the Polar North," by K. Rasmussen, review, 211
- Ethnology. "Primitive Aryans of America," by T. S. Denison, note, 602
- Exclusion, Oriental. ENFORCEMENT OF THE CHINESE EXCLUSION LAW. See Law.
- THE EXCLUSION OF ASIATIC IMMIGRANTS IN AUSTRALIA. See Australia.
- HOW CAN WE ENFORCE OUR EXCLUSION LAWS? See Law.
- THE LEGISLATIVE HISTORY OF EXCLUSION LEGISLATION. See Legislation.
- Family. THE INSTABILITY OF THE FAMILY, 97-105. Conditions regulating stability of marriage, 97; evidences of, 98; child births, 100; divorces, 101; cause of instability, 102; results of, 103
- THE INVASION OF FAMILY LIFE BY INDUSTRY, 90-96. How industry invades the home, 90; results, 91; unemployment and the work of mothers, 91; messenger service, 93; dangers of employment for the young, 94; lack of enforcement of law, 95
- Far East. "America and the Far Eastern Question," by T. F. Millard, review, 195
- "The Far East Revisited," by A. C. Angier, review, 195
- "La Politique Chinoise," by A. Maybon, note, 608
- "Observations in Asia," by P. S. Grant, note, 604
- "The Russian Army and the Japanese War," by A. N. Kuropatkin, review, 209
- "Travels in the Far East," by Mrs. E. M. H. Peck, note, 430
- "War in the Far East," review, 627
- Finance. "Die Finanzen der Grossmacht," by F. Zahn, note, 614
- "Forty Years of American Finance," by A. D. Noyes, review, 623
- Germany. "The Evolution of Modern Germany," by W. H. Dawson, review, 434
- "The German Workman," by W. H. Dawson, note, 178
- Government. "Actual Government as Applied under American Conditions," by A. B. Hart, note, 182
- "The American Executive and Executive Methods," by J. H. Finley and J. F. Sanderson, note, 426
- "Essays and Addresses," by E. B. Smith, note, 430
- "The Government of European Cities," by W. B. Munro, note, 609
- "Ideals of the Republic," by J. Schouler, note, 189
- "Readings on American Federal Government," by P. S. Reinsch
- "Readings in American Government and Politics," by C. A. Beard, note, 610
- Health. "Civics and Health," by W. H. Allen, review, 195
- "Essentials of Milk Hygiene," by C. O. Jensen, note, 606
- "Good Health and How to Regain It," by U. Sinclair and M. Williams, note, 612
- "Life's Day," by W. S. Bainbridge, note, 174
- "Parcimony in Nutrition," by C. J. Browne, note, 602
- THE SIGNIFICANCE OF A SOUND PHYSIQUE, 9-15. Neglect of body training, 9; limitation of development, 10; uniform development, 11; influence of sedentary occupations, 12; brain work and body strength, 13; importance of systematic training, 15
- Hereditary. HEREDITY, INFLUENCE OF, ON HUMAN SOCIETY, 16-21. Complexity of race problems, 16; inheritance phenomena, 18; transmission of positive characteristics, 19; no real classes in society, 21
- INFLUENCE OF HEREDITY AND ENVIRONMENT UPON RACE IMPROVEMENT. See Race Improvement.
- History (American).
- "History of the City of New York in the Seventeenth Century," by Mrs. S. Van Rensselaer, review, 626
- "The Reminiscences of Carl Schurz," review, 213
- "The Repeal of the Missouri Compromise," by P. O. Ray, review, 212
- "The Romance of American Expansion," by H. A. Bruce, note, 175
- "The Self-Reconstruction of Maryland, 1864-1867," by W. S. Myers, note, 430

Index of Subjects

- History (English).
 "The Constitutional History of England," by F. W. Maitland, note, 186
 "Outlines of the Economic History of England," by H. O. Meredith, note, 429
- History (General).
 "Historical and Political Essays," by W. E. H. Lecky, review, 436
 "Italy from 1494 to 1790," by Mrs. H. M. Vernon, review, 627
- HOSIERY MANUFACTURE IN THE UNITED STATES. See Manufactures.
- Immigrant. CHINESE AND JAPANESE IMMIGRANTS: A COMPARISON, 223-230. American prejudice, 223; Chinese in America, 224; Japanese, 225; Chinatown conditions, 226; Japanese quarters, 227; Japanese characteristics, 228; Japanese problem, 229.
- IMMIGRANTS AND CRIME, 117-124. The foreign criminal, 117; the south European immigrant, 118; character of Italian immigration, 119; migration of criminals, 121; classes of crimes committed by foreigners, 122; exaggeration of crime by immigrants, 123
- A WESTERN VIEW OF THE RACE QUESTION, 269-71. Importance of race questions, 269; industrial disturbances, 270; systematic legislation, 271
- Immigration. "Chinese Immigration," by Mary R. Coolidge, review, 617
- IMMIGRATION AND THE AMERICAN LABORING CLASSES, 125-29. Importance of high standard of life, 125; influence of immigrant, 126; results of excessive immigration, 127; unassimilable immigration, 128
- MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING ORIENTAL IMMIGRATION. See Orient.
- MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING ORIENTAL IMMIGRATION. See Orient.
- ORIENTAL IMMIGRATION IN THE STATE OF WASHINGTON, THE PROBLEM OF, 329-37. Awakening of Japan, 329; prophecy of Seward, 330; local prejudice, 331; excellence of Japanese, 332; illicit immigration, 333; Orientals not a problem, 334; commercial interest in immigrants, 335
- RACE PROGRESS AND IMMIGRATION, 130-38. Contrast of early and present immigration, 130; increase of immigration, 131; New England statistics, 133; decrease in birth rate among immigrants, 134; result of race mixtures, 135; mental and moral problems, 136; what we must give the immigrant, 137
- REASONS FOR ENCOURAGING JAPANESE IMMIGRATION. See Japanese.
- Imperialism. "The Struggle for Imperial Unity," by G. T. Denison, note, 179
 "India," by J. K. Hardie, note, 605
- Industry. THE INVASION OF FAMILY LIFE BY INDUSTRY. See Family.
- INSANITY, ALCOHOLISM AS A CAUSE OF, 81-84. How alcoholism produces insanity, 81; alcoholism and the races, 82; national average consumption, 83; other causes contributing to insanity, 84
- Insurance. "Le Chomage," by P. de Las Cases, note, 185
 "Industrial Insurance in the United States," by C. R. Henderson, review, 207
 "Insurance against Unemployment," by D. F. Schloss, note, 611
- LIFE INSURANCE BUSINESS, RECENT DEVELOPMENTS IN THE, 578-83. State legislation, 578; business expenses, 580; extent of business, 581; government insurance, 582
 "State Insurance: A Social and Industrial Need," by F. W. Lewis, note, 606
- International Law. "Effects of War on Property," by A. Latifi, note, 427
 "The Laws of War on Land," by T. E. Holland, note, 183
 "La Neutralidad," by C. A. Becu, note, 175
- International Trade. GOVERNMENT ASSISTANCE TO EXPORT TRADE, 555-62. Governmental encouragement, 555; diplomats and commerce, 556; reports on foreign trade, 557; consular service, 558; commercial agents, 560; improvements recommended, 561
- INTERNATIONAL TRADE, PRESENT CONDITION OF, 445-56. Growth of international trade, 445; world's commerce, 446; India's products, 448; cost of panic, 449; fall of exports, 451; use of raw materials, 452; resources of United States, 453; increase of imports, 454; prospects, 455
 "Investment Bonds," by F. Lownhaupt, review, 210
- IRON TRADE, THE AMERICAN, OF 1909 AND THE OUTLOOK. See Manufactures.
- Islam. "The Religious Attitude and Life in Islam," by D. B. MacDonald, note, 185
- Japan. "The Empire of the East," by H. B. Montgomery, note, 429
 "La Situation Financière du Japon," by E. Clavery, note, 425
- JAPANESE. AMERICAN RESIDENCE ON JAPANESE, THE EFFECT OF, 338-39
- CHINESE AND JAPANESE IMMIGRANTS: A COMPARISON. See Immigrant.
- JAPANESE EMIGRATION, SOURCES AND CAUSES OF, 377-87. Causes of Japanese emigration, 377; increase in population, 378; economic pressure, 379; geographical sources of emigration, 380; size of farms, 382; advantages and motives for emigration, 385; character of Japanese emigrants, 386
- JAPANESE IMMIGRATION INTO KOREA. See Korea.
- JAPANESE IMMIGRATION, REASONS FOR ENCOURAGING, 294-99. Equal

Index of Subjects

- treatment for all, 294; charity and the immigrant, 295; labor and wages, 296; standards of living, 297; education, 298; international ethics, 299
- THE JAPANESE PROBLEM IN CALIFORNIA**, 262-68. Permanence of problem, 262; classes favoring Japanese, 263; statistics of immigration, 264; Japanese as laborers, 265; Japanese competition, 267
- Judiciary**. "The Conflict over Judicial Powers," by C. G. Haines, note, 604
- Jurisprudence**. "The Science of Jurisprudence," by H. Taylor, review, 216
- Korea**. **JAPANESE IMMIGRATION INTO KOREA**, 403-09. Peculiar character of, 403; exploitation of Korea, 404; means employed, 405; the Oriental Colonization Company, 406; effect of, on Koreans, 407; Japanese are "overlords," 409
- "Things Korean," by H. N. Allen, note, 173
- Labor**. "A History of the English Agricultural Labourer," by W. Hasbach, review, 436
- IMMIGRATION AND THE AMERICAN LABORING CLASSES**. See Immigration.
- ORIENTAL VS. AMERICAN LABOR**, 247-56. Hawaii's experience, 247; wages and hours of labor in San Francisco, 249; foreign labor, 253; race complications, 255
- Latin America**. "American Supremacy," by G. W. Crichfield, review, 202
- "Arbitraje Internacional entre El Peru y El Brazil," note, by A. Maurtua, 428
- "Del Regimen Federativo al Unitario," by R. Rivarola, note, 188
- "The Other Americans," by A. Ruhl, note, 188
- Law**. **ENFORCEMENT OF THE CHINESE EXCLUSION LAW**, 363-74. The Chinese Boycott, 363; injustice to Chinese, 364; difficulty of exclusion, 367; the Mexican border, 368; organization of smuggling, 369; need of good interpreters, 370; a smuggling expedition, 371; character of Chinese, 372; better organization of Bureau of Immigration, 373
- "History of English Law," by W. S. Holdsworth, review, 619
- HOW CAN WE ENFORCE OUR EXCLUSION LAWS**, 360-62. Ease of evasion, 360; inadequacy of present arrangement, 361
- LAW, THE IMPORTANCE OF THE ENFORCEMENT OF**, 85-89. Difficulty of enforcement, 85; child labor laws, 86; indecent literature, 87; transmission of acquired disease, 88
- Legislation**. **THE LEGISLATIVE HISTORY OF EXCLUSION LEGISLATION**, 351-59. Development of restriction of Oriental immigration, 351; growth of restriction movement, 352; action by Congress, 353; treaty of 1881, 354; the West dissatisfied, 355; act of 1888, 356; subsequent acts, 357; the Japanese arrangement, 359
- UN-AMERICAN CHARACTER OF RACE LEGISLATION**, 275-93. Freedom of opportunity, 275; injustice of special legislation, 276; historical review, 277; progress of man, 278; discrimination against aliens, 279; constitutional development, 281; Chinese exclusion, 282; present attitude in the United States, 287; present solution of Japanese problem, 288; Chinese boycott of 1905, 290; Taft's position, 291; fair treatment, 292
- LOCOMOTIVES, THE MARKET FOR**, 547-51. Manufacturers' cost, 547; decline of business, 548; causes of depression, 549; international trade, 550
- Lumber**. **LUMBER INDUSTRY, TRADE REVIVAL IN THE**. See Manufactures.
- THE YELLOW PINE SITUATION**. See Manufactures.
- Manufactures**. **BREWING INDUSTRY, THE PROSPERITY OF THE**, 485-95. Prohibition wave, 485; beer sales, 486; expansion of trade, 488; relation to industrial conditions, 489; European trade, 490; the weather and beer, 491; immigration and trade, 492; capital in the industry, 493; southern trade, 494
- DISTILLING INDUSTRY, THE PRESENT AMERICAN BUSINESS CONDITIONS IN THE**, 569-77. Statistics of trade, 569; prohibition movement, 570; tariff, 571; the Anti-Saloon League, 572; property interests, 573; conflict of Church and State, 574; forecast, 576
- HOSIERY MANUFACTURE IN THE UNITED STATES**, 539-46. Growth of, 539; German competition, 540; Dingley tariff, 541; under-valuation, 542; conditions of market, 544; outlook, 545
- IRON TRADE, THE AMERICAN, OF 1909 AND THE OUTLOOK**, 496-506. Consumption of iron, 496; United States Steel Corporation, 497; prices, 498; railroad purchases, 499; tariff, 501; producing capacity, 503; outlook, 504
- LUMBER INDUSTRY, TRADE REVIVAL IN THE**, 512-19. Extent of exhaustion, 512; commercial woods, 513; degree of recovery, 513; tariff, 515; international trade, 516; prices, 517; outlook, 518
- MEAT PACKING INDUSTRY, PROSPECTS OF THE**, 471-76. Growth of industry, 471; tariff, 473; prosperity of farmers, 474; consequence of city growth, 475
- PAINT MANUFACTURE, THE OUTLOOK FOR**, 507-11. Competitive character, 507; sources of demand, 508; test fences, 509; effect of legislation, 511
- PAPER AND PULP INDUSTRY, DIFFICULTIES AND NEEDS OF THE**, 467-70. Effect of market conditions, 467; tariff, 468; export business, 469

Index of Subjects

- STOVE MANUFACTURING, CONDITIONS IN, 457-62. The weather and the stove market, 457; organization of stove manufacture, 458; New York City as a financial center, 459; export revival, 460; tariff, 461; prospects, 462
- STOVE TRADE, THE, 463-66. Stoves and the panic, 463; importance of manufacture, 464; outlook, 465
- WOOLENS, REVIVAL OF THE TRADE IN, 477-84. Cause and extent of depression, 477; tariff, 478; prices, 480; international trade, 481; competition, 482; outlook, 483
- THE YELLOW PINE SITUATION, 532-38. Business and prices, 533; the law of trade, 534; substitutes for lumber, 535; over-production, 536; comparison costs, 537
- MEAT PACKING INDUSTRY, PROSPECTS OF THE. See Manufactures.
- "Mennonites of America, The," by C. H. Smith, note, 612
- Municipal Government. See "City Deterioration and the Need of City Survey."
- Negro. "The Negro Problem," by W. P. Pickett, review, 625
- Oregon. WHY OREGON HAS NOT HAD AN ORIENTAL PROBLEM. See Orient.
- Orient. MISUNDERSTANDING OF EASTERN AND WESTERN STATES REGARDING ORIENTAL IMMIGRATION, 257-61. Contrast of European and Asiatic immigration, 257; economics of immigration, 258; Japanese fruit growing, 259; school controversy, 260; the West determined, 261
- MORAL AND SOCIAL INTERESTS INVOLVED IN RESTRICTING ORIENTAL IMMIGRATION, 300-05. The morality of exclusion, 300; exclusion impossible, 301; the races can live together, 302; need of a social conscience, 304
- OPPOSITION TO ORIENTAL IMMIGRATION, 239-46. Race opposition, 239; historical review, 240; authorities reviewed, 242; Japanese students in America, 244; race mixture, 245
- ORIENTAL IMMIGRATION INTO THE PHILIPPINES. See Philippines.
- ORIENTAL LABOR IN SOUTH AFRICA. See South Africa.
- ORIENTAL VS. AMERICAN LABOR. See Labor.
- THE SUPPORT OF THE ANTI-ORIENTAL MOVEMENT, 231-38. Origin of exclusion act, 231; not a trade union measure, 232; the "Chronicle's" warning, 233; facts against Japanese, 235; school board controversy, 236; non-assimilable character, 238
- WHY OREGON HAS NOT HAD AN ORIENTAL PROBLEM, 306-10. Gold and Oriental immigration, 306; fewness of Orientals in the North, 307; lack of commonwealth spirit, 308; possibilities of future disturbances, 309
- Pacific Coast. CHINESE LABOR COMPETITION ON THE PACIFIC COAST. See Chinese.
- OPPOSITION TO ORIENTAL IMMIGRATION. See Orient.
- THE SUPPORT OF THE ANTI-ORIENTAL MOVEMENT. See Orient.
- PAINT MANUFACTURE, THE OUTLOOK FOR. See Manufacture.
- Panics. THE RECOVERY FROM THE DEPRESSION, 584-91. Stringency of money market, 584; extension of panic, 585; peculiar characteristic, 586; improvement in money market, 587; a rising market, 588; true prosperity, 589
- PAPER AND PULP INDUSTRY, DIFFICULTIES AND NEEDS OF THE. See Manufactures.
- Party Government. "Pour la Réforme électorale," by C. Benoist, note, 601
- "Presidential Campaigns from Washington to Roosevelt," by G. M. McConnell, note, 186
- Penology. "The Law of Children and Young Persons in Relation to Penal Offenses," by L. A. Jones and H. H. L. Bellot, note, 184
- Philippines. ORIENTAL IMMIGRATION INTO THE PHILIPPINES, 388-94. Majority of immigrants, 388; protection of Filipinos, 389; race mixtures, 390; uniform exclusion laws, 392; present working of laws, 393
- Philosophy. "Idealism as a Practical Creed," by H. Jones, review, 620
- "What is Pragmatism," by J. B. Pratt, note, 610
- Playgrounds. POPULAR RECREATION AND PUBLIC MORALITY, 33-42. Neglect of play, 33; attraction of the city, 34; consequences of unwise play—the Fourth of July, 36; playground movement, 38; a play census, 39; value of comprehensive treatment, 40; importance of healthful recreation, 41
- Poetry. "American Verse, 1625-1807, A History," by W. B. Otis, note, 187
- Politics. "Human Nature in Politics," by G. Wallas, review, 218
- PROSPERITY, THE RETURN OF, 563-68. Foreign trade, 563; business prosperity, 564; manufactured materials, 565; transportation and finances, 566
- Psychology. CLINICAL STUDY AND TREATMENT OF NORMAL AND ABNORMAL DEVELOPMENT. A PSYCHOLOGICAL CLINIC. See Race Improvement.
- "An Introduction to Social Psychology," by W. McDougall, review, 438
- "The Philosophy of Self-Help," by S. D. Kirkham, note, 427
- "Psychotherapy," by H. Münsterberg, review, 623
- Race Improvement. CLINICAL STUDY AND TREATMENT OF NORMAL AND ABNORMAL DEVELOPMENT — A PSYCHOLOGICAL CLINIC, 141-162. Examination of defectives, 141; discussion of problems, 143; a hospital school and its work, 148; special classes, 149; discussion by Dr. Cornman, 151; Mr. Mallory on playgrounds, 153; Miss Ogilvie on

Index of Subjects

- hospital service, 156; Mr. Gorman on juvenile courts, 158; Mr. Solenberger on the Pennsylvania Children's Aid Society, 160
- RACE DEGENERATION IN THE UNITED STATES, EVIDENCES OF, 43-47. Evidence of war measurements, 43; moral and mental statistics, 45; statistics of children, 46
- RACE IMPROVEMENT BY CONTROL OF DEFECTIVES (NEGATIVE EUGENICS), 22-30. Over-emphasis of heredity, 22; influence of weaklings, 23; proposed remedies, 24; the best solution, 26; problem of feeble-minded women, 27; importance of plan, 28
- RACE IMPROVEMENT, INFLUENCE OF HEREDITY AND ENVIRONMENT UPON, 3-8. Scope of volume upon race improvement, 3; meaning of heredity and environment, 4; inaccuracies of condition, 6; importance of standards of life, 7; problem of race improvement, 8
- Railroads. "Moody's Analyses of Railroad Investments," by J. Moody, review, 210
- THE PRESENT SUPPLY OF FREIGHT CARS, 592-600. Supply and demand, 592; variation in demand, 594; policy in times of car shortage, 596; car supply, 597; present demand, 598; prospects, 599
- "Railroad Freight Rates in Relation to the Industry and Commerce of the United States," by L. G. McPherson, review, 622
- "Railroad Promotion and Capitalization in the United States," by F. A. Cleveland and F. W. Powell, review, 615
- "Rate Regulation," by R. P. Reeder, note, 187
- Religion. "The Precinct of Religion in the Culture of Humanity," by C. S. Shaw, review, 215
- "The Social Application of Religion," review, 215
- "Rome, The Greatness and Decline of," by G. Ferrero, review, 205
- Russia. "A Literary History of Russia," by A. Brückner, review, 199
- "The Russian Conquest of the Caucasus," by J. F. Baddeley, review, 197
- "Sacerdotalism in the Nineteenth Century," by H. C. Sheldon, note, 190
- SECURITIES MARKET AS AN INDEX OF BUSINESS CONDITIONS, THE, 439-44. Dangers of optimism, 439; discounting depression, 440; price of securities, 441; railroads and industrials, 442; probable trend of prices, 443
- Socialism. "Socialism in Local Government," by W. G. Towler, note, 191
- "Socialism in Theory and Practice," by M. Hillquit, note, 183
- Sociology. "The Christian Ministry and the Social Order," by C. S. Macfarland, review, 621
- "The Church and the Slum," by W. H. Crawford, note, 178
- "The Crime Problem," by V. M. Masten, note, 607
- "First and Last Things," by H. G. Wells, note, 193
- "The Minority Report of the Poor Law Commissions," by S. and Beatrice Webb, note, 192
- "Misery and Its Causes," by E. T. Devine, review, 435
- "My Inner Life," by J. B. Crozier, review, 203
- "Neglected Neighbors," by C. F. Weller, note, 192
- "The Origin and Development of the Moral Ideas," by E. Westermarck, review, 219
- "The Origins of Leadership," by E. Mumford, note, 608
- "Outline of Practical Sociology," by C. D. Wright, note, 194
- "Psychological Interpretations of Society," by M. M. Davis, note, 426
- "Report on the Desirability of Establishing an Employment Bureau in the City of New York," by E. T. Devine, review, 618
- "Social Organization," by C. H. Cooley, review, 432
- "Towards Social Reform," by Canon and Mrs. S. A. Barnett, note, 174
- SOUTH AFRICA. ORIENTAL LABOR IN SOUTH AFRICA, 395-402. Growth of race problem, 395; historical review, 396; increase of, and demand for, Asiatics, 397; Asiatics and the trades, 398; Asiatics and commerce, 399; the Oriental as a cheapening factor, 400; the white man's country and Oriental immigration, 401
- SOUTH AMERICA—OUR MANUFACTURERS' GREATEST OPPORTUNITY, 520-31. The tariff, 520; home markets, 521; international trade, 522; relations with South America, 523; interest in South America, 524; advantage of exports, 525; manufacturers' interests, 526; European interests, 528; shipping facilities, 529; subsidies, 530
- Spain. "Madrid," by A. F. Calvert, note, 177
- "Spain of To-day from Within," note, by M. Andujar, note, 173
- Statistics. "Statistik und Gesellschaft," by G. von Mayr, note, 428
- Stoves. STOVE MANUFACTURING, CONDITIONS IN. See Manufactures.
- THE STOVE TRADE. See Manufactures.
- Tariff. "The Fate of Iodorum," by D. S. Jordan, note, 185
- "Protection in the United States," by A. M. Low; "Protection in Canada and Australia," by C. H. Chomley; "Protection in Germany," by W. H. Dawson; "Protection in France," by H. O. Meredith, note, 607
- Taxation. "International Tax Association: Addresses and Proceedings of, State and Local," note, 184
- "The King's Revenue," by W. M. J. Williams, note, 194
- "Progressive Taxation in Theory and Practice," by E. R. A. Seligman, review, 214
- "Tolstoy—The Man and His Message," by E. A. Steiner, review, 216

Index of Subjects

Trade Unions. "Beneficiary Features of American Trade Unions," by J. B. Kennedy, note, 185

TREATY POWERS: PROTECTION OF TREATY RIGHTS BY FEDERAL GOVERNMENT, 313-28. Constitutional changes, 313; the treaty power, 314; extent of, 315; limitations of, 316; constitutional interpretation, 317; reserved powers of the state, 318; police power of the states, 320; Supreme Court and treaty power limitations, 321; the tenth amendment, 322; treaty power and the federal state, 323; protection of treaty rights, 324; enforcement of treaties, 325; administrative laws, 327

Unemployment. "Le Chomage et La Profession," by M. Lazard, note, 428

Washington. THE PROBLEM OF ORIENTAL IMMIGRATION IN THE STATE OF WASHINGTON. See Immigration.

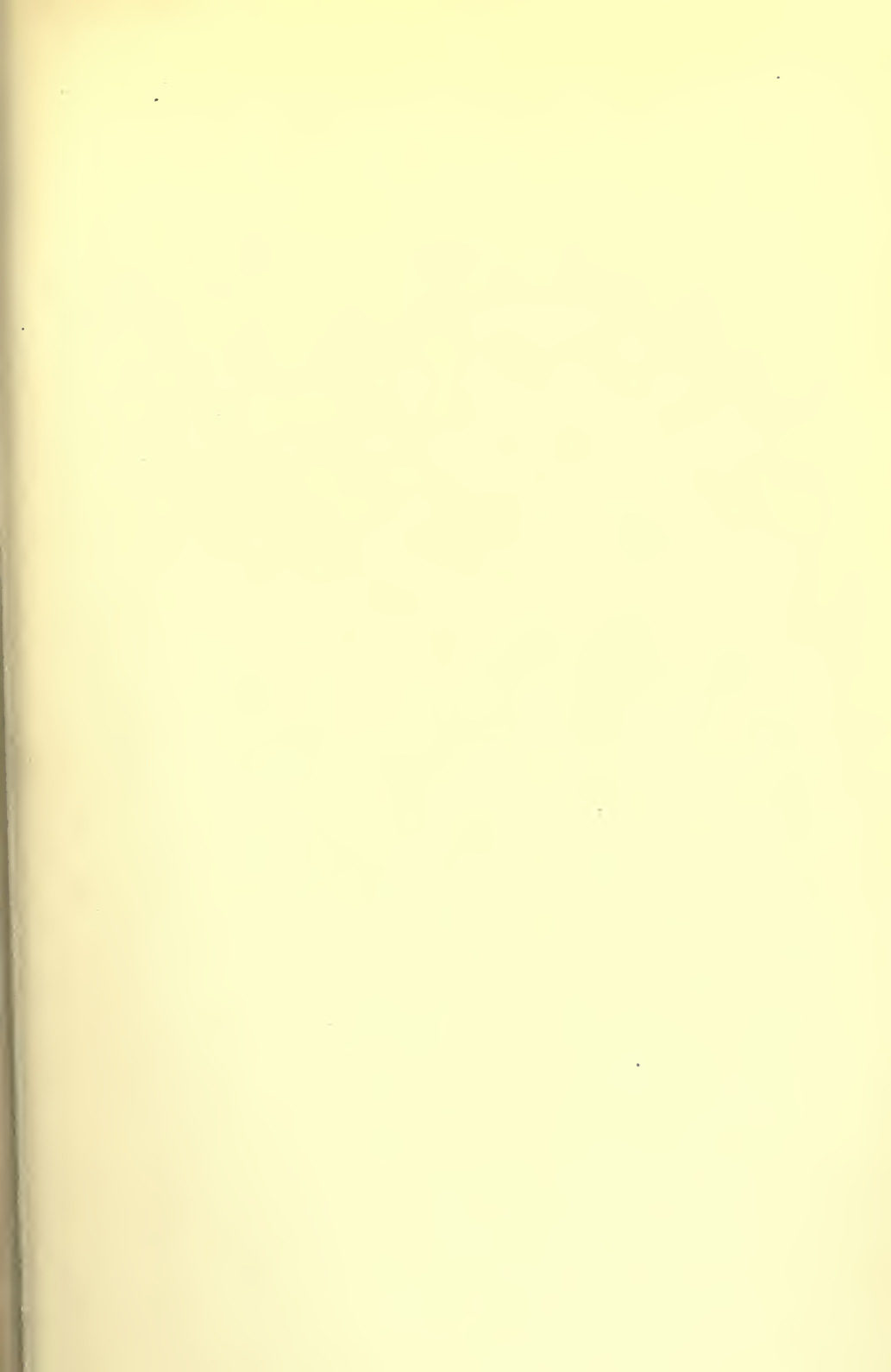
"Writings of George Washington," by L. B. Evans, note, 180

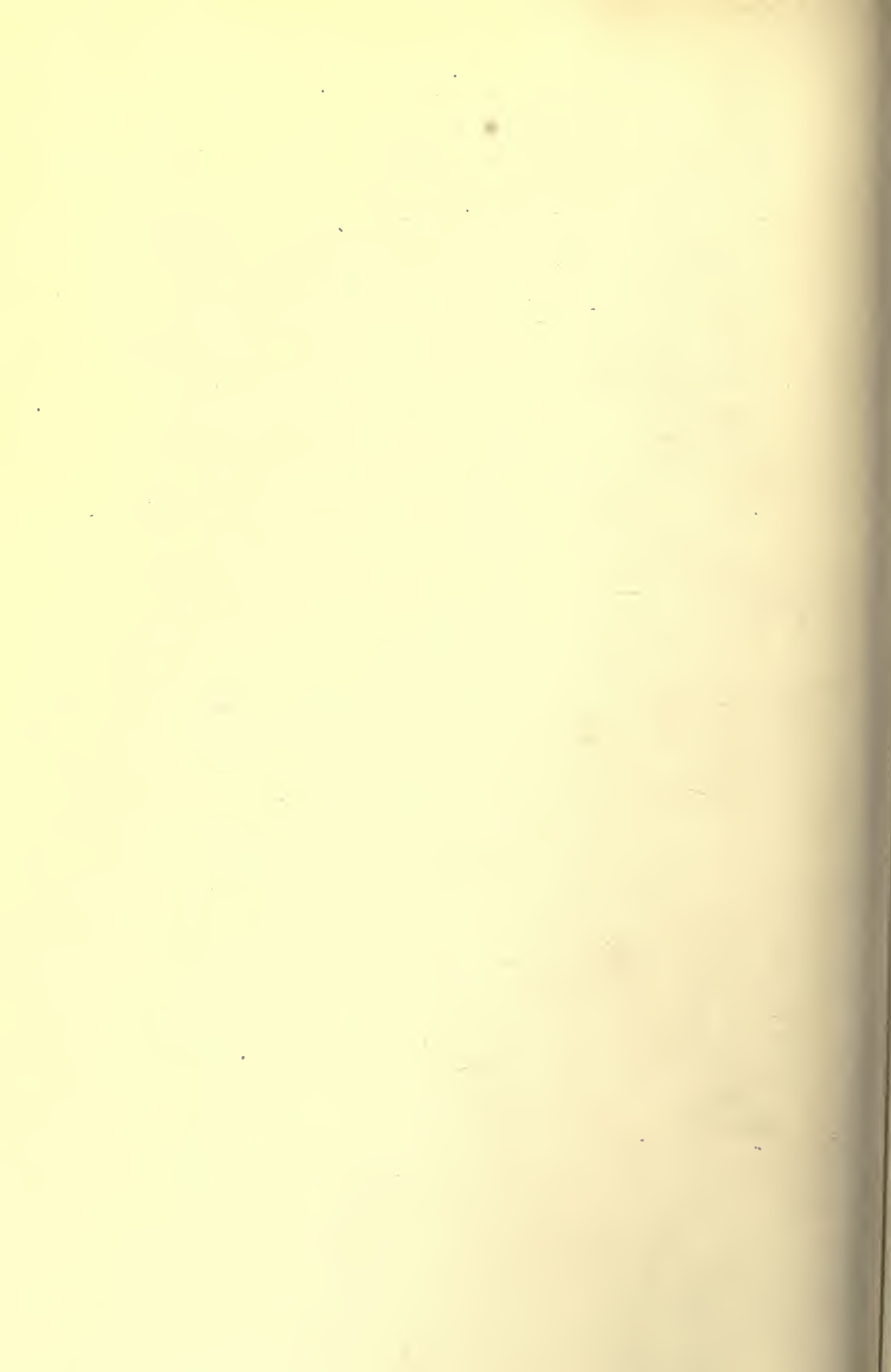
Waterways. "The American Transportation Problem," by J. H. Peyton, review, 624

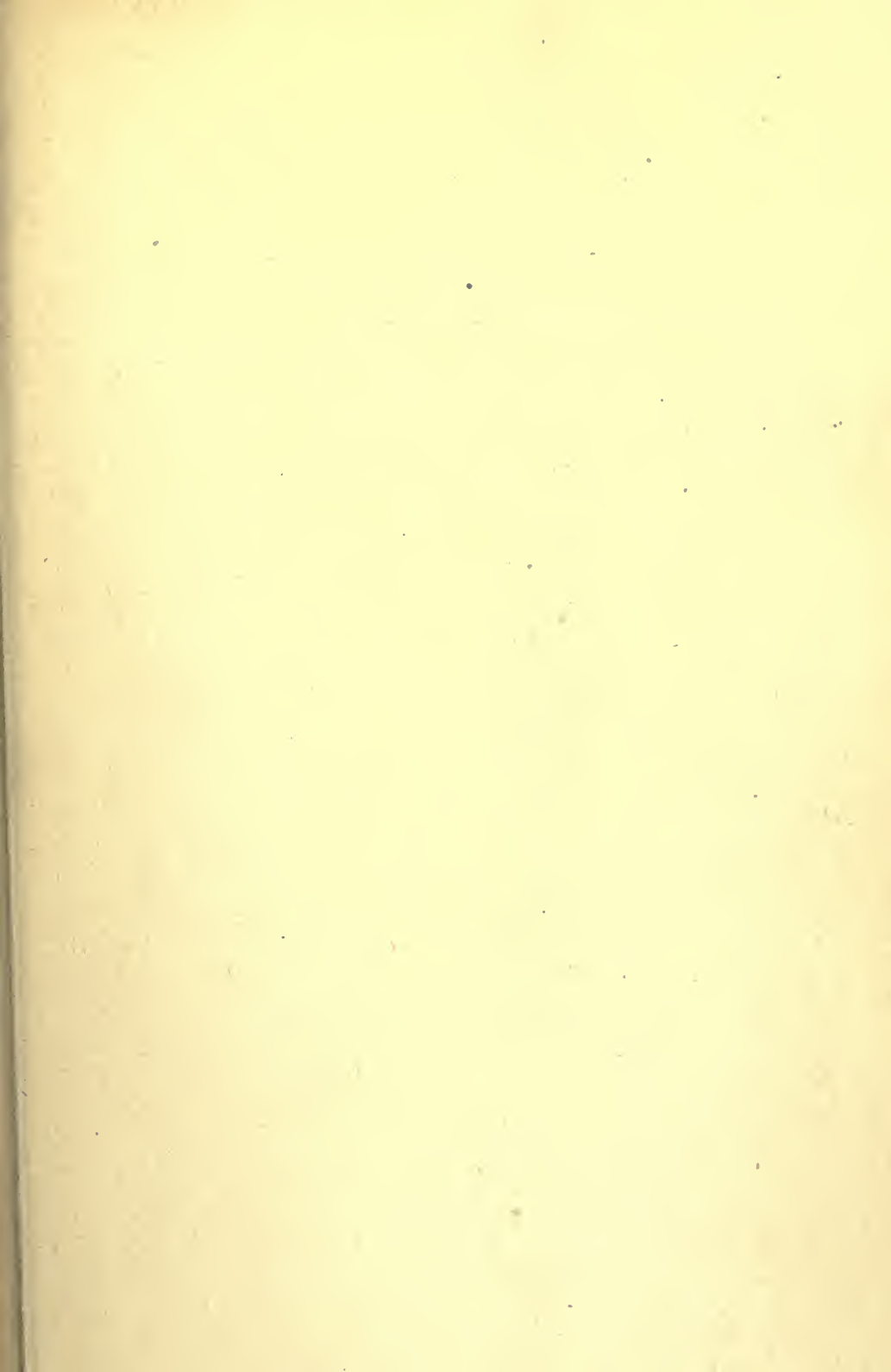
"Artificial Waterways and Commercial Development," by A. B. Hepburn, note, 182

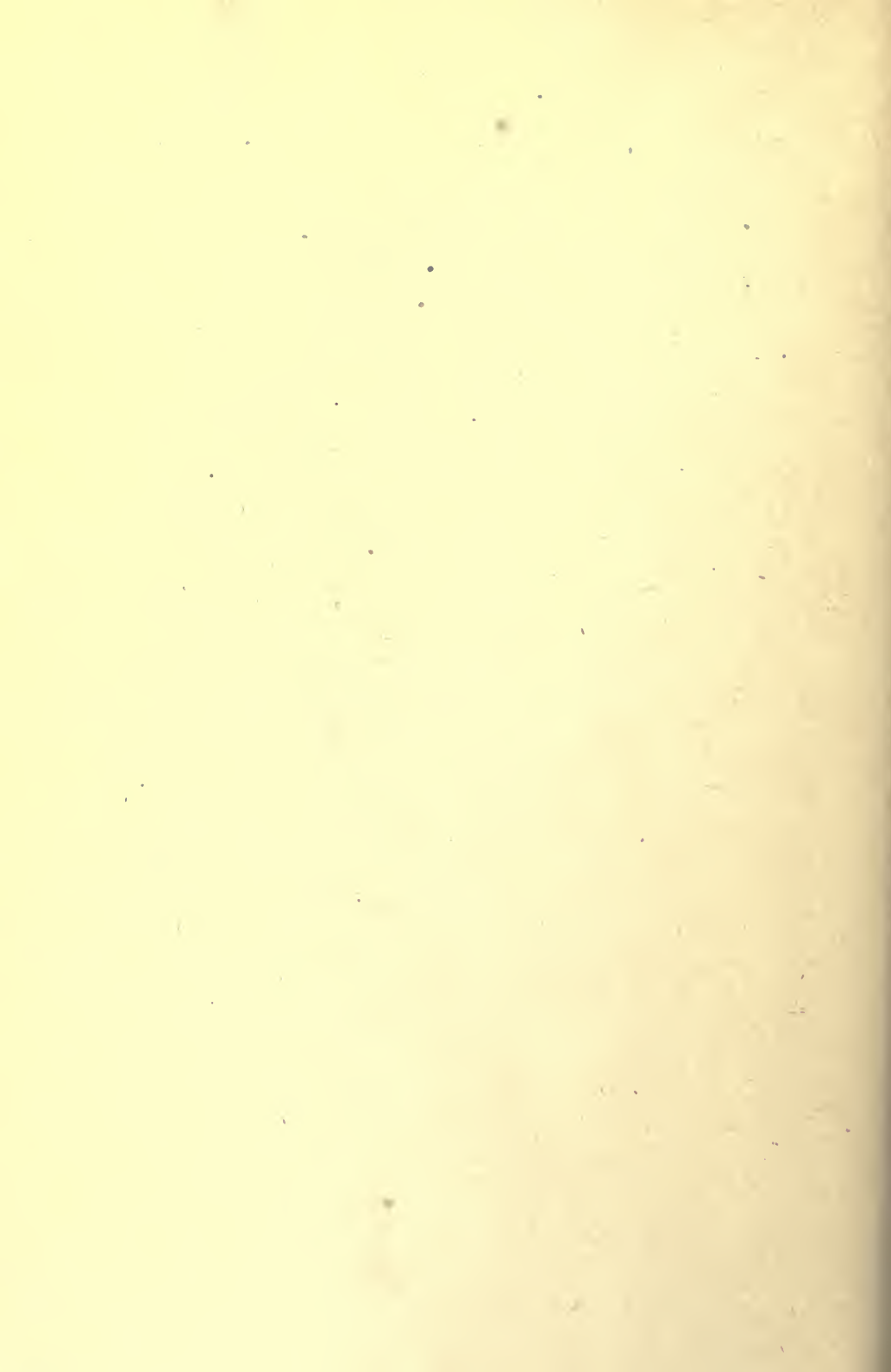
Women. THE MORAL INFLUENCE OF WOMEN IN AMERICAN SOCIETY, 106-114. Origin of the family, 106; emigration to America, 107; early influence of women, 108; the law of the family, 110; women and ethical standards, 111

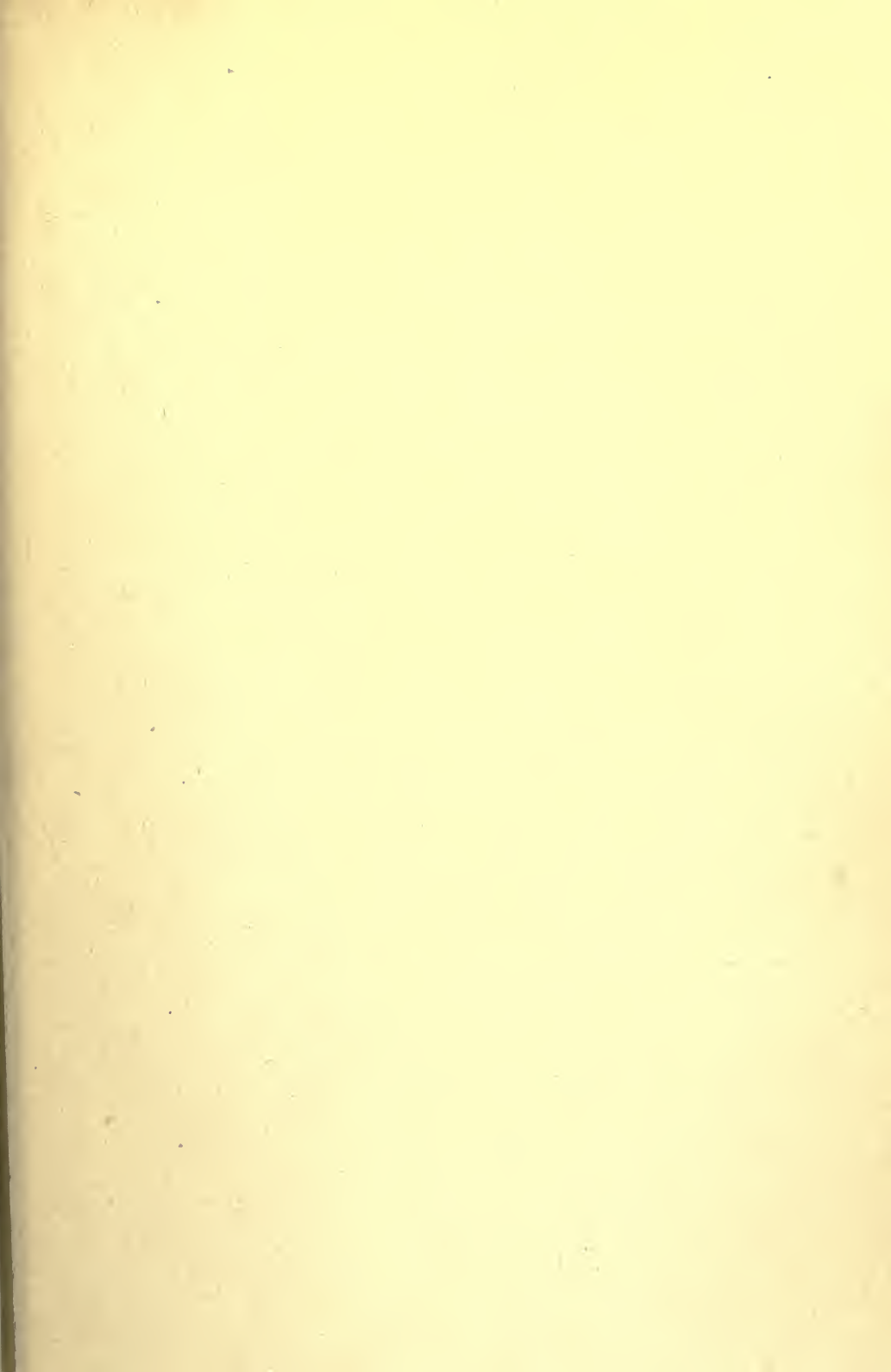
WOOLENS, REVIVAL OF THE TRADE IN, See Manufactures.





















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